





# Freedom of the skies and seas speeds war's third phase



General Schwarzkopf: ticking off a long list of targets

THE third phase of the war has begun: the "softening up" of Iraqi defensive positions on the front line and along the east coast, with artillery fire and naval bombardment, while the bombers of the allied air campaign continue to target the Republican Guard south of Basra and Iraq's military infrastructure.

The allied commanders insist that everything is going according to schedule. Except for the bad weather and the battle for Khafji, they are probably right. The allied timetable for victory is on course. The bombing campaign has been so successful, and has been carried out with so few losses, that there remains a small chance that a full ground offensive, as opposed to a mopping-up operation, could be avoided.

Even Lieutenant-General "Chuck" Horner, the United States air commander and the man who planned the bombing campaign, has admitted he underestimated the "efficiency" of his power. "There is no getting around it," he said, "these high-tech systems take war to a whole new level of efficiency, and war

As the softening up of Iraqi frontline positions from the air and the sea gathers pace, Michael Evans writes that the "arm's length" war could continue for a few weeks, with just a slim chance of avoiding a full land offensive

has historically been a very inefficient operation."

Efficiency has played a key part in the allied campaign, not just for the military but also for the politicians. Accurate bombing makes military sense because an enemy's offensive capability can be seen to be destroyed day by day. The list of targets, which must run in to tens of thousands on General Horner's bombing blueprint, can be steadily ticked off. The only way bombing can be merciful is if it avoids civilian areas. All military targets, it can be argued, are fair game.

Efficient bombing makes political sense, too. Coalition leaders can point to the discriminating nature of the bombing. From the precision attack over the weekend on a fuel storage dump, leaving unscathed a neighbouring

oil refinery plant, to the saturation bombing of the Republican Guard, the campaign can be justified on the basis that efficient bombing will reduce the risk of heavy allied casualties when the ground war begins.

However, now there are accusations that the bombings have claimed many civilian lives. There is also "the turkey shoot" syndrome, the phrase used by one American pilot returning to base, to describe how easy it had been to hit targets. These two developments could begin to win President Saddam Hussein some sympathy, especially among citizens of some of the Arab members of the 28-nation coalition.

Such sympathy would be misplaced. One only has to remember what Saddam's forces have done, and are doing, to Kuwait,

including killing at least 7,500 citizens, military and civilian, and plundering the nation of its wealth and infrastructure. Nevertheless, since the allies want to win a moral and political, as well as military, victory it would be counter-productive if "turkey shooting" were to become an accepted catchphrase of the war.

The image of the allies having an easy war belies the skill and courage of the aircrews, particularly the RAF Tornado pilots and navigators involved in dangerous low-level bombing raids. All have had to face heavy anti-aircraft artillery fire and surface-to-air missiles. On the other hand, the Iraqi air force has either decamped to Iran or has declined to spend much time in aerial dogfighting. Those that did

have been shot down. Air supremacy and suppression of Iraqi radars has made the air campaign much safer for the crews and therefore much easier.

The freedom of the seas has also now been won, but the Iraqi navy never stood a chance. Allied commanders talked of the threat from patrol craft armed with Exocet missiles. Even though the potential for sinking an allied warship existed, the line-up of naval forces was more in the David and Goliath tradition: one training frigate and between 50 to 60 patrol craft against 176 warships, including six aircraft carriers and two battleships. RAF Lynx helicopters, armed with Sea Skua air-to-surface missiles launched at least five miles from the target, have picked off Iraqi missile boats with comparative ease.

The third phase of the war, introducing naval bombardment and increasing artillery barrages against Iraqi regular troops in southern Kuwait, has started now because Saddam's navy has been eliminated. With freedom of the seas, the two US battle-

ships, USS Missouri and USS Wisconsin, will be able to fire their 16-inch guns at will, with only the faint chance of an Iraqi Exocet-armed bomber appearing on the horizon.

The launching of shells, each weighing more than a ton, on troop and armoured positions in Kuwait, without the Iraqis being able to do anything in return, apart from mounting suicide ground raids across the Saudi border, will have a further demoralising impact on Saddam's forces.

If this arm's-length war continues for several more weeks, as seems likely, the turkey shooting image may become serious enough for Washington and London to explain to their Allies that it is all in the cause of forcing the Iraqis out of Kuwait without having to endure a bloody land battle. One report in the US has suggested that the aim is to destroy half of Iraq's armour and artillery before a ground war will be contemplated. If that is true, there could be a long way to go before General Horner accomplishes his efficiency list.

## AMERICA

### Saddam 'has shielded some key forces at religious sites'

FROM SUSAN ELLICOTT IN WASHINGTON

THE American military admitted yesterday that President Saddam Hussein has managed to shield some command posts, troops and material from round-the-clock air attacks by moving equipment to civilian areas, including schools and religious sites.

Lieutenant-General Robert Johnston, an American military spokesman in Saudi Arabia, emphasised that the United States would continue to avoid bombing "anything of religious significance", and was relying on its advanced weaponry to avoid civilian casualties. He said Iraqi ground forces showed little movement yesterday, while the Allies continued to bomb targets in Iraq and Kuwait about once a minute.

President Bush is anxious to avoid hitting mosques in Iraq for fear of inflaming anti-Western sentiment in the Arab countries whose forces are fighting against Iraq in the US-led coalition.

Richard Cheney, the US defence secretary, said the allied campaign was "basically on track", but warned that Iraq's strength was still Saddam's elite Republican Guard - including about 120 brigades and 30 divisions - inside Kuwait.

He also gave a warning of possible terrorist attacks against American and allied soldiers in the Gulf, the reduced but continued risk of Iraqi-launched Scud missiles into Saudi Arabia and Israel, oil spills in the Gulf, and further damage to the infrastructure of Kuwait.

In a routine daily tally of allied action, General Johnston said nine members of the coalition, including Britain and the United States, flew more than 2,700 sorties in the previous 24 hours, bringing to at least 44,000 the total since the war began two-and-a-half weeks ago. The Allies, using 26 jet fighters and six B52s, struck targets in and near Kuwait, including airfields and Iraqi military command centres.

President Bush has instructed his military commanders and

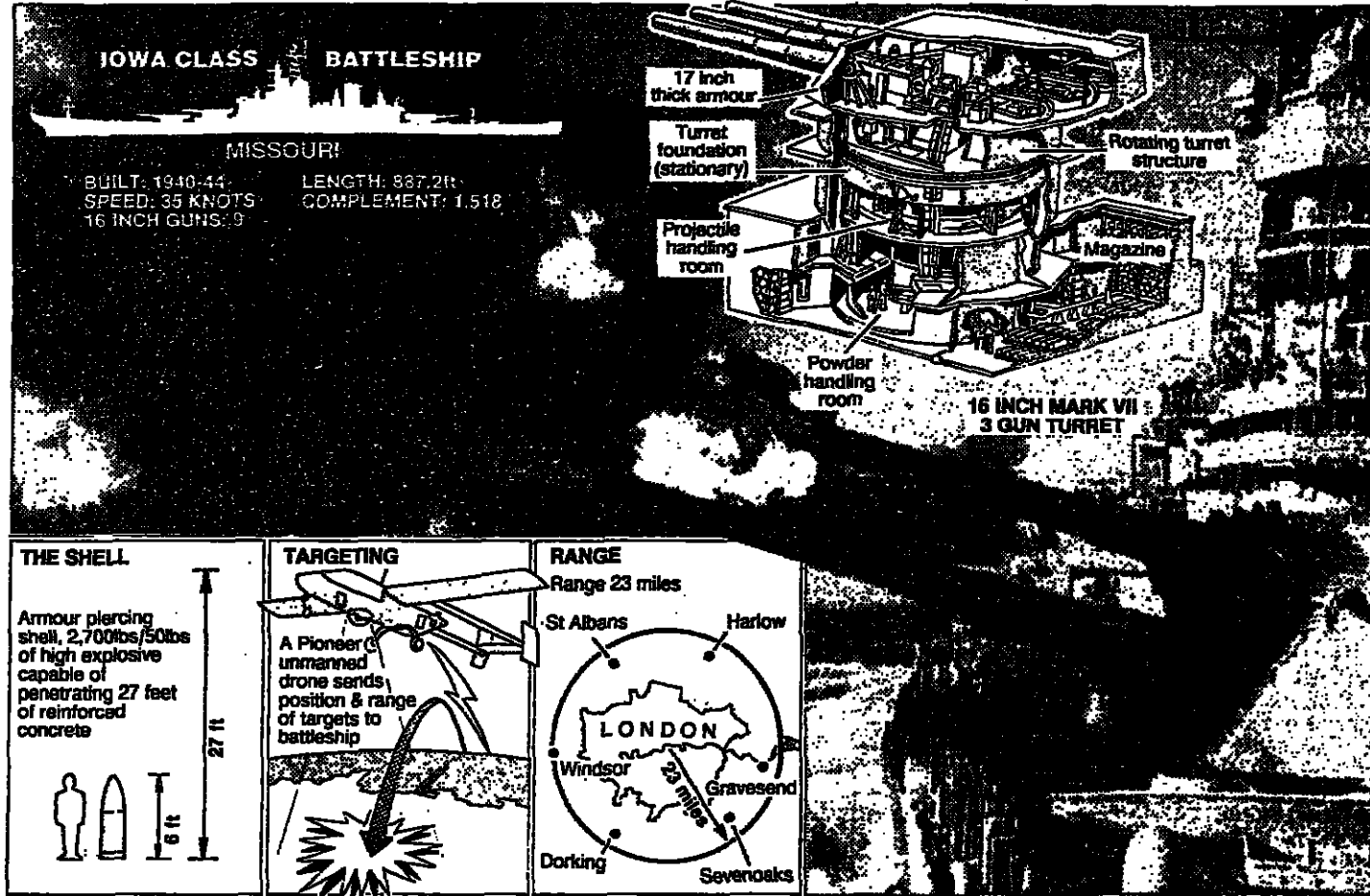
advisers, including General Norman Schwarzkopf, the commander of American forces in the Gulf, and General Colin Powell, the chairman of the Joint Chiefs of Staff, to bomb Iraqi targets cautiously and methodically to minimise allied and enemy casualties.

General Johnston said the systematic allied attacks have forced the Iraqi military to cut back its supply convoys and to move military equipment. Convoys of between five and 10 vehicles are moving at night, compared with earlier groups of between 50 and 100, he said. In addition, the allies have destroyed or left burning 25 of 30 Iraqi tanks targeted since Sunday.

General Schwarzkopf told reporters in Saudi Arabia that Iraq's shift of command centres to civilian sites gave the Iraqi military an advantage, since it restricted the Allies' ability to attack. But his forces would not resort to attacks on civilian targets "just to even the score". He said: "Guys in white hats don't do that."

Baghdad has tried for days to manipulate the allied attack on Iraq for propaganda purposes. Iraqi government information officers have taken Western correspondents to civilian areas allegedly bombed by allied aircraft, including a village where a cluster of bombs opened a crater outside a small mosque. But General Schwarzkopf yesterday said much of the damage permitted to be shown on television by Iraqi censors was certainly caused by the fall of Iraqi anti-aircraft fire that had missed its targets. He also suggested that Iraq's claims of 321 civilian deaths during the war were wildly exaggerated.

General Johnston said that the amount of Iraqi anti-aircraft fire had fallen considerably in recent days, but that an Iraqi infantry battalion fired a multiple rocket launcher during an attack by US artillery in the early hours of Monday. The American forces destroyed the launcher.



## EUROPEAN COMMUNITY

### Ministers slow plans for combined foreign policy

FROM GEORGE BROCK IN BRUSSELS

EUROPEAN foreign ministers yesterday slowed down plans for a common foreign policy, as they reflected on the divisions revealed by the Gulf war at their meeting in Brussels on European Community political reform.

Jacques Poos, Luxembourg's foreign minister, who chaired the meeting, was asked whether the community would have acted differently during the Gulf confrontation if the proposed changes had been in place. He said that the EC's reactions would have been quicker but "essentially the same".

The Twelve remain formally committed to the objective of a common foreign policy, but yesterday's debate foresaw a further round of decisions in the late 1990s. Ministers also agreed to meet privately within the next few weeks on the possible reorganisation of Europe's defence institutions.

The outcome meets the British government's objectives of minimising public differences with European partners, while deferring the hardest questions of European integration for later negotiations.

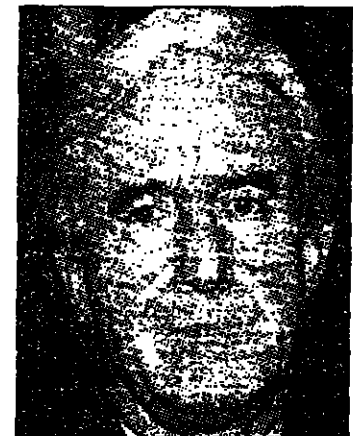
Douglas Hurd, the foreign secretary, was praised for an amiable and constructive intervention which pointed out that the community had acted quickly where it could agree, but that there

remained many points on which countries would continue to differ.

He told the meeting that it would be "dangerous and misguided" to conclude from Europe's Gulf diplomacy that common policies were unworkable. The Gulf did show, he said, that basic agreement had to be reached between states before there was any point in building machinery for a common foreign policy.

The key question had been whether there was any support for extending majority voting into the area of foreign policy.

There is, instead, broad agree-



Poos: says EC reactions would have been quicker

## JAPAN

### Kaifu ducks questions on aid for allies

FROM JOANNA PITMAN IN TOKYO

TOSHIKI Kaifu, the Japanese prime minister, is having a bad war. While the allies press him to help the war effort, his political opponents are trying to extract a high political price for Japanese favours.

Yesterday he was to be seen in the Diet struggling to fend off questions from both his own Liberal Democratic party and from opposition parties over precisely how Japan's pledged \$9 billion (£4.6 billion) would be spent in support of the Gulf effort.

Questions were ducked, none too elegantly, as Mr Kaifu declined to confirm that Japanese aid would not be spent on weapons or ammunition. His reluctance to be drawn on the use of the funds is seen as a ploy to lure support from members of the avowedly pacifist opposition party, Komeito.

The backing of Komeito, which holds the casting vote in the opposition-controlled upper house of the Diet, is crucial to gain approval for the government's funding proposal. Leaders of Komeito, known in English as the Clean Government party, are clearly intent on making political capital out of the war. Komeito is after a coalition partnership with the Liberal Democrats and a high-profile cabinet post.

## WEAPONRY

### Model help for warship's big guns

By HARVEY ELLIOTT AIR CORRESPONDENT

AN ISRAELI-built "model aeroplane" powered by a simple two-stroke engine yesterday took the art of naval gunnery into a new era by enabling the awesome power of a battleship's 16-inch guns to be used with a high degree of accuracy for the first time.

The USS Missouri, built in 1944 and the scene of the Japanese surrender at the end of the second world war, had until yesterday fired dozens of accurate, but expensive, Tomahawk cruise missiles at targets in Kuwait and Iraq. But its giant guns, capable of firing armour-piercing shells 23 miles, had remained silent. They were last fired in anger in March 1953 during the Korean war.

But the lack of Iraqi naval and air power, or any land-based threat to the ship, enabled it to sail close to the Kuwaiti coast. Spotter aircraft reported a number of what appeared to be hardened bunkers within range of the guns.

The 74 men in each of the battleship's three turrets had their first chance to prove that the guns under their control were no longer the indiscriminate weapons of terror which had obliterated villages in Lebanon in 1983, when fired by the Missouri's sister ship, New Jersey. They intended to prove that they could now be targeted against hardened bunkers only a few yards wide.

The Pioneer unmanned drone was launched from the stern of the battleship with the aid of a rocket-assisted booster, and flew at about 100mph on a predetermined route above the Iraqi bunkers. In its nose was a small infra-red camera from which images of the target area were relayed back to the ship. As the guns were fired, the gunners were able to see instantly where the shells were falling and to make the tiny adjustments necessary to ensure a direct hit. When the broadsides were completed, the Pioneer, with a wingspan of 15 ft, was directed back to the ship in much the same way that a model aircraft enthusiast would control his aircraft, to be caught in a net strung across the deck.

Two types of shell can be used, one weighing 1,900lb and filled with 154lb of high explosive, and one weighing 2,700lb which, although carrying only 50lb of explosive, can penetrate more than 25 ft of reinforced concrete. The 6ft-long shells travel at 1,500mph as they spin towards their targets and the kinetic energy generated during their flight, together with their explosives, can rip apart any hardened gun emplacement or missile silo.

## WAR IN THE GULF: DAY 19

### ALLIED FORCES

**SORTIES:** more than 41,000 allied air missions flown since war began. 27,000 on combat missions.

**LOSSES:** In the latest border fighting, the Americans lost 8 men in non-combat deaths and three men in action on Sunday. Three US aircraft were lost to non-hostile causes, including one plane and two helicopters.

Since the Gulf war began allies have reported 30 men killed in action, including 12 Americans and 18 Saudis. 39 are missing in action, including 26 Americans, eight British, one Italian and four Saudis. The Iraqis have taken 12 prisoners of war, including two British, one Italian and one Kuwaiti.

**CLAIMS:** Iran's President Raisani offered to meet President Saddam Hussein for talks on ending the Gulf war and said he was willing to resume official contact with Washington in the interests of peace. The US battleship Missouri joined multinational air forces and fired 1,250 tonnes shells on Iraqi targets in Kuwait in the first attack on the occupied emirate. US Marines also attacked targets inside Kuwait and exchanged fire with Iraqi troops across the border in separate engagements. No US casualties were reported. Allied F-15s and Tornados flew missions throughout Monday targeting Baghdad's Iraqi ground troops and supply lines. British Jaguar jets attacked Iraqi barracks and Scud-missile bases in Kuwait, flying daytime missions with impunity. The Japanese prime minister,

Toshiki Kaifu, said of Japan's proposed \$9 billion Gulf aid package: "It is government policy that the money be used for peaceful purposes such as food, living expenses, transportation and medical purposes." Winds sped up the southern movement through the Gulf of the world's biggest oil slick and fresh Kuwaiti oil was feeding it. Saudi Arabian officials said they were acquiring the latest chemicals produced in the United States to fight the slick and were setting out to combat it in on the open seas.

### IRAQI FORCES

**CLAIMS:** Baghdad radio reported 77 air raids on Sunday night and said nine enemy warplanes had been shot down. The ruling party's newspaper, al-Thawra, said Iraq would use "hit and run tactics" against the "aggressors" and that troops were prepared for more incursions like the one at Khafji. The Iraqi foreign minister, Tariq Aziz, renewed his condemnation of UN secretary-general Javier Pérez de Cuellar, for ignoring the "crimes" being committed against Iraq by the "US-Nato-Zionist alliance".

### ALLIED WAR AIMS

Whitehouse spokesman Martin Fitzwater said: "Our purpose is to get Iraq out of Kuwait, and we have gone through 12 UN resolutions and are engaged in military conflict to do that. That's where our focus is and we don't expect that to change."

## EASTERN EUROPE

### Broad backing for 'just war' against aggressor

By MICHAEL BINYON DIPLOMATIC EDITOR

IN CONTRAST to the mixed feelings about the Gulf war in Western Europe, a surge of public support for the effort to liberate Kuwait has swept across Eastern Europe, where the leaders of the new democracies are giving vigorous support to what they see as a just war.

In Poland, Hungary and Czechoslovakia opinion polls show overwhelming backing for the American-led coalition. There is a widespread perception of President Saddam Hussein as a brutal dictator and a belief that the world has a moral duty to stand up to Iraqi aggression.

Czechoslovakia has sent a 178-men contingent of volunteers from the Czechoslovak armed forces to Saudi Arabia, who will

soon be joined by 40 more men. The soldiers are chemical weapons experts who are preparing to deal with any nerve agents or poison gas. Hungary and Poland have both sent medical teams.

For most East Europeans, the demonstration of solidarity with the West is an important element in the support for the allies. People's views of the conflict are coloured by their own history. They see the occupation of Kuwait in terms of the need to stand up to oppressors.

President Havel of Czechoslovakia has drawn frequent parallels between the invasion and the oppression of Czechoslovakia by both the Germans and Russians. Hungarians also make comparisons with the Soviet invasion in 1956, with implicit criticism of the West for not acting in the same decisive manner then.

East Europeans have also seen the conflict as a rare chance to play their own role without having to follow the line laid down by Moscow.

"For the first time after a long period of oppression in our history we can freely express our sympathy with the democratic world," President Havel said recently.

Anti-war demonstrations have attracted little support. One recent march in Hungary to the United States embassy attracted only a dozen people and was widely derided in the press. Hungary was one of the first countries to impose sanctions on Baghdad, and parliament unanimously condemned Iraqi aggression. It is also understood to have given permission in a closed session to the Americans to overfly Hungarian air space in supply flights to the Gulf and in bringing wounded back to Ger-

many. Tamas Katona, the Hungarian undersecretary at the foreign ministry, said material contribution to the coalition was "logical and right" as a gesture of its condemnation of the Iraqi aggression.

Warsaw's support has also been firm, though not demonstrative. The government has taken a cautious line. "Poland's support for the security council resolution is not equivalent with support for the war against Iraq," said Krzysztof Skubiszewski, the foreign minister, last week. "Poland does not go beyond the resolution, and does not say what should be done with Iraq."

Poland, like many other East European countries, has suffered considerably from the embargo on Iraq, having lost almost \$3 billion (£1.5 billion). Countries such as Bulgaria have been devastated by

the sharp rise in the price of oil, and by the loss of barter trade with Iraq which is heavily indebted to them. Many East European governments are hoping that their solidarity with the coalition will be rewarded by increased aid.

Official comment, however, has reflected some concern over the scale of allied bombing. In Poland newspapers have also criticised Western arms exporters who sold Iraq equipment and suggested the West has been guilty of hypocrisy.

For many East Europeans, the war has brought out a strong wave of pro-Israeli sympathy. This is partly because the former communist governments, taking their cue from Moscow, refused to restore relations broken after the 1967 war. Diplomatic relations have now been restored and there has been a noticeable cooling towards many Arab governments.



SAUDI ARABIA

# Artillery's confidence writ large in desert sand

From Keith Dowkants with the 1st Armoured Division

THE brigadier was mapping out the coming battle, drawing lines in the sand with the tip of the shepherd's crook he always carries.

It seemed a curious implement with which to delineate an encounter between men bent on killing each other. And it would be easy to imagine this soft-spoken Scot with a slow smile to be sketching the route of some Highland walk, were it not for the distant drum-roll of bombing and the looming presence of a dozen big guns.

They are his guns and, according to the sand sketch they will be among those to fire the opening shots of the great land offensive.

Brigadier Ian Durie, commander of the British artillery in this division, believes it will be an artillery war. Some commanders here, finding one of professional honours taking before a fight, or football managers on the eve of a big game. Their confidence rings hollow, and seems permeated with anxiety.

Brigadier Durie reassures. Yes, the Iraqis have an extraordinary number of field pieces and yes, we are probably outnumbered. But, and here the point of his crook describes a firm line in the sand, the scope of their arsenal is itself a source of weakness.

President Saddam Hussein's army is furnished with artillery purchased at random,

as if he had been seized by a fit of impulse-buying at an international arms supermarket. His guns come from the Soviet Union, France, Brazil and who knows where. They vary in type and, more significantly, calibre. Virtually every battery needs its own specialised ammunition, and Iraqi gunners cannot draw on a common stockpile.

"When I look at his problems of ammunition planning, the business of re-supplying those guns, getting the right ammunition to the right gun, I'm glad I don't have the same difficulties."

There was a faint but perceptible trembling in the air, a noise like the slamming of heavy padded doors. Somewhere to the north, allied bombers were seeking out Iraqi ammunition. Brigadier Durie expressed faith in his own ordnance, particularly the new British shell, the L15, which one of his colonels described solemnly as a worldbeater.

In the steel capsule of one of the 155mm howitzers, dubbed by its crew Psycho II and decorated with colour scenes of lesbian love, the number one gunner, Sergeant Gary Vincent, thumped the plastic-coated tip of one of these shells with the palm of his hand. "That's what sets it off," he said. Then slyly: "But it needs to go through the rifling first."

To push an L15 weighing 90lb into the rifled barrel requires a man to put his whole strength behind a 5ft ramrod. Another pulls a rope lanyard to fire the charge, and then they swab down the smoking metal with water from a bucket to cool it. In a war fought with computers and laser targeting systems, to see men sweating over the extraordinary physical demands of a big gun is like taking a step back into some other age. But in the end, they say, it will always come down to the men on the ground.

The commanders say the land war will be launched with an artillery barrage the like of which has never been seen. Well, they said something like that in 1914. No one talks about that, although as the brigadier drew his lines in the sand they could easily have fired actions on the Somme.

But there is no despair here. Bombardier Stuart Nurse, whose great-grandfather won the Victoria Cross as an artilleryman in the Boer war, says his crew all tell themselves it will not happen to them, and when old friends part they call after each other: "See you in Baghdad!" The gunners claim one of their number has even booked a hotel room there. For some time in the spring.

(This report is subject to allied military reporting restrictions)

BAHRAIN

# Plea for help on oil spill

From Lin Jenkins in the Gulf

BAHRAIN has appealed for a multinational effort to tackle the oil slick which threatens a huge area of the Gulf and could cause the extinction of the dugong, the rare sea cow.

Jawad al-Arriyad, the health minister and chairman of the Committee for the Protection of the Environment, said attempts to tackle the slick were being hampered by war. Because of military activity in the area, Bahrain could not examine the slick from the air and had to rely on sketchy information from military sources.

The slick, measuring more than 50 miles by 20 miles, was believed to be four to six days away from the Bahrain coast, and appeared to have split into three parts. "We are a small country. We simply cannot deal with it on our own. It is the largest known in history and we are appealing for other people to help us," Mr al-Arriyad said.

There are fears that the size of the spill will cause problems, since technology does not exist to cope with pollution on such a scale.

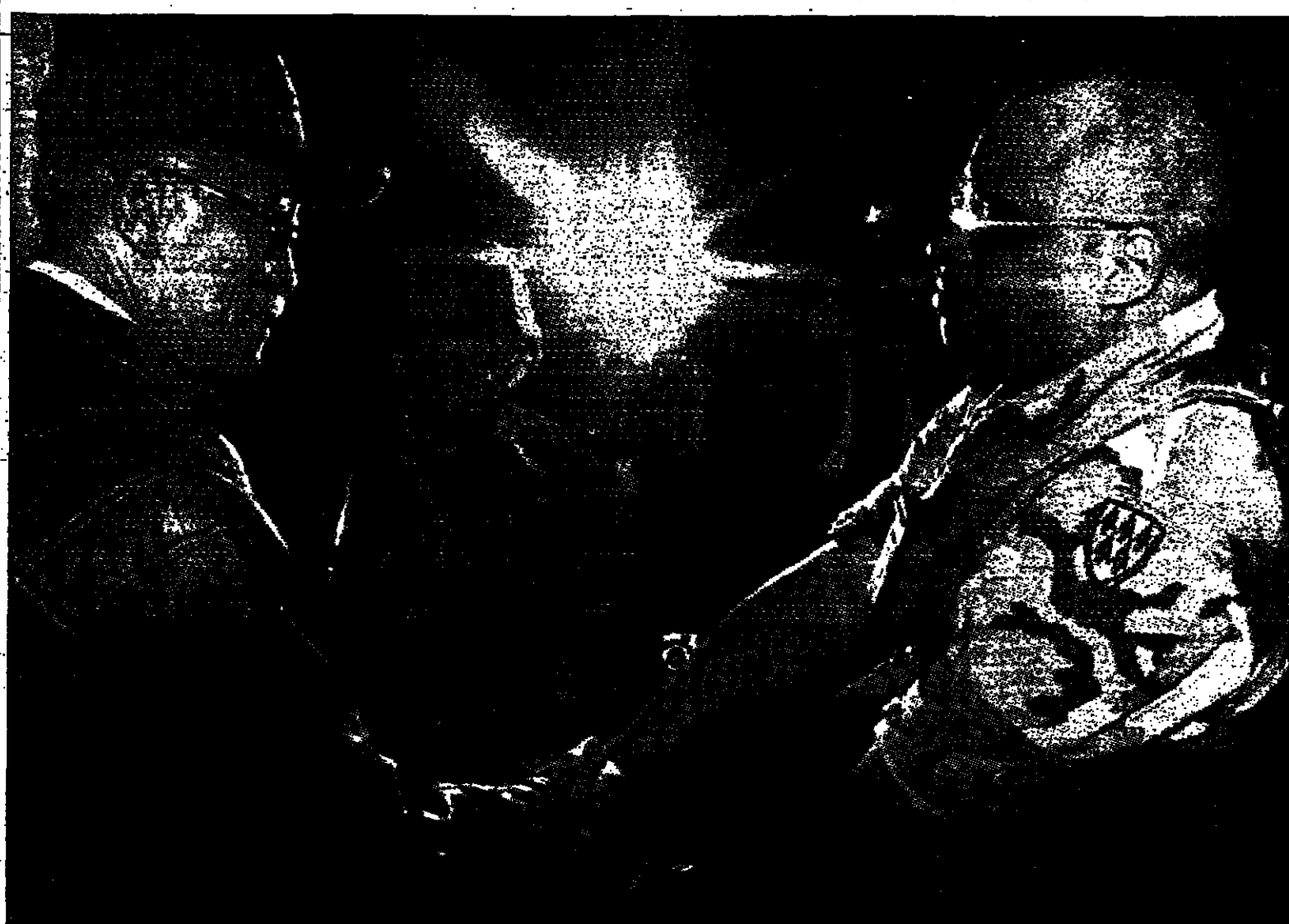
The sea-grass beds between Bahrain and Qatar, where the dugongs live, could be destroyed, and with them the sea cow. "It is part of our national heritage and we are doing what we can to save it, but the danger is that it could become extinct," Mr al-Arriyad said.

Bahrain has sought help from agencies around the world to examine ways to save the dugongs. One option under review is to remove the animals temporarily.

Boats have been put around vital installations on the island, but more help is needed in deciding how to remove the oil before fishing grounds, turtle nesting islands, coral reefs and sea birds are irreparably harmed. Volunteers are on stand-by to help to clean up sea birds once the oil reaches the shore, and Canadian experts have flown to Bahrain to advise on the best methods of cleaning beaches without doing further damage with cleaning agents.

Bahrain has hosted an emergency meeting of the Regional Organisation for the Protection of the Marine Environment, with representatives from Bahrain, Saudi Arabia, Qatar, the United Arab Emirates and Kuwait, but Mr al-Arriyad said more financial help and expertise were desperately needed. "This is the biggest catastrophe this area has faced. It was a reckless, thoughtless, inhumane act against life itself."

He said the burden of fighting the slick was too much for one country with limited resources.



Home thoughts: David Diakins, the mayor of New York, meeting an American soldier yesterday at a Patriot missile battery defending Tel Aviv. Mr Diakins, equipped with a gas mask, is on a tour to show solidarity with Israel, which is being bombed by Scud missiles

SAUDI DESERT

# Marines spare a thought for the enemy

From Patrick Bishop with the US Marines in Saudi Arabia

STANDING at night in their foxholes, watching with wonder the far-off fireworks of the pulverising B52 bombing raids, American troops are feeling sympathy for those enduring the rain of high explosives.

On Saturday night marines in forward positions got their most spectacular demonstration yet of the bombers' destructive capabilities as the jets pounded Iraqi positions along the Kuwait border.

"When the B52s came through, the whole ground was just shaking, just trembling," Staff Sergeant Percy Smyth, from Atlanta, Georgia, said.

About 20 miles further back the ripping bass thud of the explosions could be heard through the personal stereo speakers clamped on the marines' ears. Officers say that the sight of the coalition planes crowding the skies is a "tremendous confidence boost" for the troops below.

"When you hear the bombs go off and the ground shake, you know that's our guys out there doing hurt to the enemy," Major Charles Clarke, aged 42, from Kalamazoo, Michigan, said.

But "enemy" is a word one rarely hears from ordinary marines. Most seem to regard

the opposition as simple soldiers, just doing their job, victims in their way of President Saddam Hussein. When they hear the distant drum roll of another raid they spare a thought for the unfortunates beneath.

"I feel for them," said Sergeant Smith. "I feel like

I'm glad that I'm on this side and not on their side. I know they're catching hell, I feel really sorry for them."

Lance-Corporal Gerald Childress, aged 20, from Spotsylvania, Virginia, with a young wife who is expecting their first child, said: "They're out there doing the same thing we are. They're doing what they think is right - either that or because they are scared for their families. They've got families at home, children on the way and all that good stuff, just like we have."

Back at this logistics base the nightly rumble of descending ordnance has become routine. But the noise of the past two days has been of a different order. "It sounded like a volley of 12 or 14 bombs being dropped in one go," said Corporal Joey Trecartin, aged 20, of Bridgeport, Maine. "It would go quiet for a while, then you would hear it start up again."

Corporal Trecartin says he

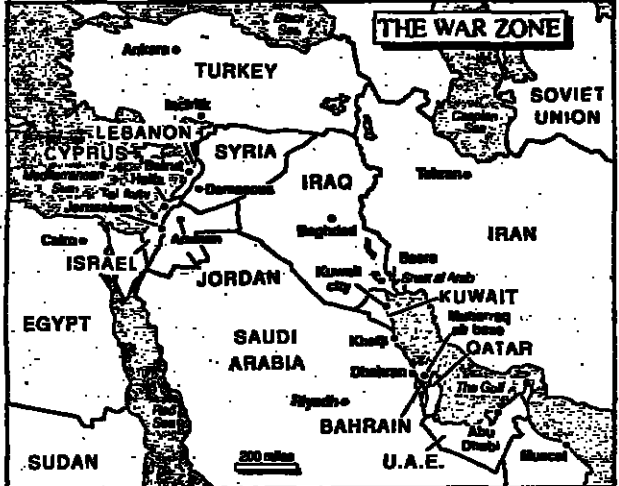
and his comrades feel little animosity towards the men over the horizon. "No one talks about 'the enemy'. They talk about Saddam Hussein. 'Hussein did this. Hussein did that.' His foxhole companion, Corporal Eric Church, chipped in: "They're just like us. They're soldiers doing their jobs."

Corporal Trecartin said: "We often talk about how much longer it will be before the people overthrow Saddam Hussein. It would be nice to get this thing over with."

In a curious way the marines feel closer to their unseen Iraqi opponents than they do to their Saudi hosts and allies. As they watch the raids they can picture them, Ludded underground, frightened, dirty and hungry, but still either unwilling or unable to give up the unequal struggle.

(This report is subject to allied military reporting restrictions)

Leading article, page 11



JORDAN

# US envoys leave Amman after terror alert

From Edward Gorman in Amman

THE unexpected decision by the State Department on Sunday to advise all Americans to leave Jordan immediately and further to reduce its embassy staff in Amman, follows intelligence assessments thought to show an unacceptable risk to Americans from

terrorist attack in Jordan.

In a travel advisory issued in Washington, the department cited increasing tension after the outbreak of hostilities in the Gulf and a heightened risk to all American citizens. Yesterday at least ten American diplomats were preparing

to depart from Amman, leaving only 20 of the original staff of 130 at the mission.

Concern for the safety of Americans rose sharply last week when an 18-year-old Jordanian girl was injured in the leg by a bomb planted inside her car. It is now thought the device had been placed in the car by mistake and had been intended for an American diplomat who lived near the girl's home.

Various small devices found around Amman in the past two weeks have surprised the security services because of their sophistication. They were "not the work of amateurs", suggesting that a well-organised campaign carried out by experienced bomb makers may be in the offing.

The British embassy cut a third of its pre-war complement of 28, together with most dependants, just before the United Nations deadline on January 15. There are no plans at present further to reduce staffing levels in the face of what is regarded as an

almost exclusively anti-American threat.

The State Department decision coincides with fresh appeals from Baghdad on Sunday for revenge attacks on American interests worldwide. Baghdad radio warned that American civilians would now be regarded as fair game. "The target will not be confined this time to the soldiers of the United States, the mercenaries of its allies, or its collaborators in the Holy lands in the Arabian peninsula," the radio said.

It is not clear whether Iraqis are operating independently inside Jordan or whether Palestinian extremists, members of a variety of PLO splinter groups, are planning attacks on their behalf. In one incident two weeks ago what is believed to have been a 1kg explosive device was left outside a branch of the Hong Kong-owned British Bank of the Middle East in Amman. Responsibility for planting the bomb, which was defused, was claimed by a previously un-

known group, the Arab Communist Revolutionary party.

Apart from security considerations, there is some speculation that the Americans may be deliberately exaggerating the extent of the threat to them in Jordan and are withdrawing diplomatic staff as a sign to King Hussein of their continued displeasure at his handling of the crisis.

Washington-Amman relations took a sudden turn for the worse at the weekend when the State Department spokeswoman appeared to back-pedal on American acquiescence over Jordan's imports of Iraqi oil, calling them a clear violation of the UN embargo.

● SAUDI ARABIA: Fears of an Iraqi-inspired terrorist campaign against off-duty American troops in Saudi Arabia increased after shots were fired at an hotel bus carrying three American military personnel and a uniformed Saudi guard in the Red Sea port of Jeddah (Christopher Walker writes).

ISRAEL

# Shamir risks split in Likud

From Richard Owen in Jerusalem

THE decision by Yitzhak Shamir, the Israeli prime minister, to include an extreme right-winger in his cabinet sends a clear signal to the world that Israel will not consider any exchange of "land for peace" after the Gulf war, observers here say.

In giving Rehavam Zeevi the title of minister without portfolio and membership of the Israeli war cabinet, Mr Shamir has risked not only a blow to Israel's new-found image of moderation and restraint but also a damaging split within the Likud party.

Yesterday Benny Begin, son of the former prime minister, Menachem Begin, and a leading Likud "young Turk", described the appointment as "deep moral contamination". Mr Zeevi, a former army general, wants immediate and massive retaliation for Iraqi missile strikes and favours the "transfer" of Palestinians from the occupied territories so that Israel can annex the West Bank and Gaza.

Mr Begin is far from being a "dove", but last summer he bitterly attacked Likud party managers for making "unprincipled deals" with ultra-Orthodox religious parties to gain power.

Like other "Young Turks" in Likud, including Dan Meridor, the justice minister, Ehud Olmert, the health minister and David Levy, the foreign minister, Mr Begin believes the Zeevi appointment was an unnecessary move at a time when Israel's image has never been better.

But Mr Shamir yesterday imposed "party discipline" and insisted that Likud toe the line when Mr Zeevi's appointment was debated today in the Knesset.

Yesterday Mr Begin defiantly insisted that the inclusion of a "lunatic fringe" party such as Mr Zeevi's Moleket in the coalition was "a profound political, moral and social stain, a dangerous infection". For many it would confirm the United Nations resolution equating Zionism with racism. Mr Begin said, adding: "Someone must say, stop, this is an abomination."

Mr Zeevi insisted that he favoured "voluntary transfer" of Arabs, as opposed to the forcible transfer demanded by the extremist Kach party founded by the late Rabbi Meir Kahane, an avowed racist.

Palestinians and Israeli liberals see the difference as one of nuance. Mr Zeevi said transfer did not mean "expulsion". Instead, in making peace with Arab states, Israel would insist that Palestinians be "removed", because "two peoples cannot live in one country".

Palestinians fear that the Shamir government, which has placed the occupied territories under continuous curfew to prevent disturbances during the war, will use the current emergency to deport Arabs.

Mr Begin said Moleket was more sophisticated and careful than Kach, but its aims were the same. Mr Olmert said "transfer" ran counter to everything Likud stood for, and it was inconceivable that a man holding Mr Zeevi's views should be allowed to enter the mainstream of Israeli life. Mr Meridor described the appointment as a "moral obscenity".

● Conference rejected: Mr Shamir, told the Knesset that Israel would have no part in any Middle East peace conference after the war and urged the Allies to "remove this idea from the agenda" and to distance themselves once and for all from the Palestine Liberation Organisation.



Highway target: the remains of a truck, allegedly bombed by the allies, near the Iraqi border town of Trebil on the main road to Jordan

# Troops voice resentment over Islamic rules

From Christopher Walker with British troops in Eastern Saudi Arabia

THE other ranks in Saudi Arabia are beginning to chafe against the strict Islamic rules imposed on the 30,000 British troops in Saudi Arabia.

Anger with the restrictions demanded by the Saudi authorities has been high for some time, but the British government has been anxious to play it down. Resentment among the British troops increased when on the first Sunday after the air war began, the Saudi authorities banned a mass Christian church service for members of the 4th Armoured Brigade.

In addition to feeling the lack of traditional facilities for rest and recreation, the British soldiers are unhappy that they are supposed to disguise their religious faith and about censorship of mail sent to them. Most of the British tabloid newspapers favoured by the troops are banned. Americans censors have also at-

tempted to cite "host nation sensitivity" to prevent reports of such feelings emerging, but these appeals have been ignored by most reporters, who are aware that anti-Saudi sentiment is deeply ingrained among most of the Western troops serving in Operation Desert Storm.

Corporal Stephen Quairby, a black British soldier who volunteered for service in Beirut in 1983 when Western forces came under heavy attack by Islamic extremists, was greeted with nods of approval from comrades when he attacked the "hypocrisy" of the Saudis on such issues as alcohol and sex.

"We know that they go over the causeway to drink in Bahrain. Everyone knows that they are hypocrites, so why won't they at least let us have a beer when we are fighting, and maybe dying, to defend their country?" the corporal said angrily.

"Everyone knows that this war is being fought over oil, yet people are frightened to speak out about it."

British soldiers have been promised their first alcohol when they reach Kuwait City, but that, too, will require a drastic change in Kuwaiti laws. Until the Iraqi invasion on August 2 Kuwait was totally dry, like its Saudi neighbour.

British soldiers are also inclined to lump all Muslims together without differentiation.

"Muslims in the UK are going to feel a backlash when the soldiers return. We are fighting for their country here, yet we have had to obey all of their rules during the months that we have been here and even now that the fighting has started," said Lance Corporal Gavin Dobson, who comes from Southampton.

"They make us obey their rules, but so far the Muslims in Britain have been able to behave according to their own customs. That is unfair and it has got to stop. Why should we have to obey their rules when they do not have to obey ours?" Officers present looked on with some embarrassment

as the lance corporal launched his diatribe during an organised reporters' tour of the main British logistics and supply base on the eastern Saudi coast.

The resentment has been fanned by rumours about illicit drinking and sex parties held in Saudi Arabia by rich Saudis and reports of Saudi excesses while abroad. The beginning of the war has brought no relaxation.

The British army is already ignoring the Islamic restrictions on pork. "Since about Christmas we have been bringing in pork and bacon on ships and serving it to the lads in the field," said Warrant Officer Tim Barker, aged 37, chief chef at the largest British maintenance camp, who comes from Great Yarmouth.

Restrictions on the eating of pork are also ignored in the unadorned ration served to British troops on the front line. Menus include baconburgers, bacon grill and pork sausages. (This report is subject to allied military reporting restrictions)

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## Campaigners' video shows laboratory rabbits struggling under heated lamps

## Top scientist is criticised for cruelty to animals

By THOMSON PRENTICE, MEDICAL CORRESPONDENT

A DISTINGUISHED medical scientist carried out worthless experiments on rabbits and caused them unnecessary suffering, according to a report published by the Medical Research Council yesterday.

Stricter controls of research involving animal experiments are to be introduced by the council, after the practices of Wilhelm Feldberg, aged 89, at the National Institute for Medical Research at Mill Hill, north London, were exposed by animal rights activists.

Video recordings of his work, showing rabbits struggling violently while he heated their abdomens with an electric lamp, convinced an inquiry team set up by the council that the animals "perished for no discernible beneficial reason", the report says.

The findings are embarrassing for the council and are a huge propaganda bonus for animal rights campaigners. The council-funded institute employs more than 500 people and uses more than 1,000 animals a week, most of them rodents, for experiments.

Sir Brian Bailey, former chairman of the Health Education Authority, who chaired the inquiry, said yesterday: "This case is reverberating around all the medical research establishments in this country. If there were one or two scientists who were thinking of cutting a corner, I am sure they will think differently now."

The rabbits were inadequately anaesthetised by Professor Feldberg and were killed at the end of experiments he believed were important in the study of human diabetes. He became intrigued after a light bulb accident

overheated the abdomen of an anaesthetised cat on his operating table, raising the animal's blood sugar levels.

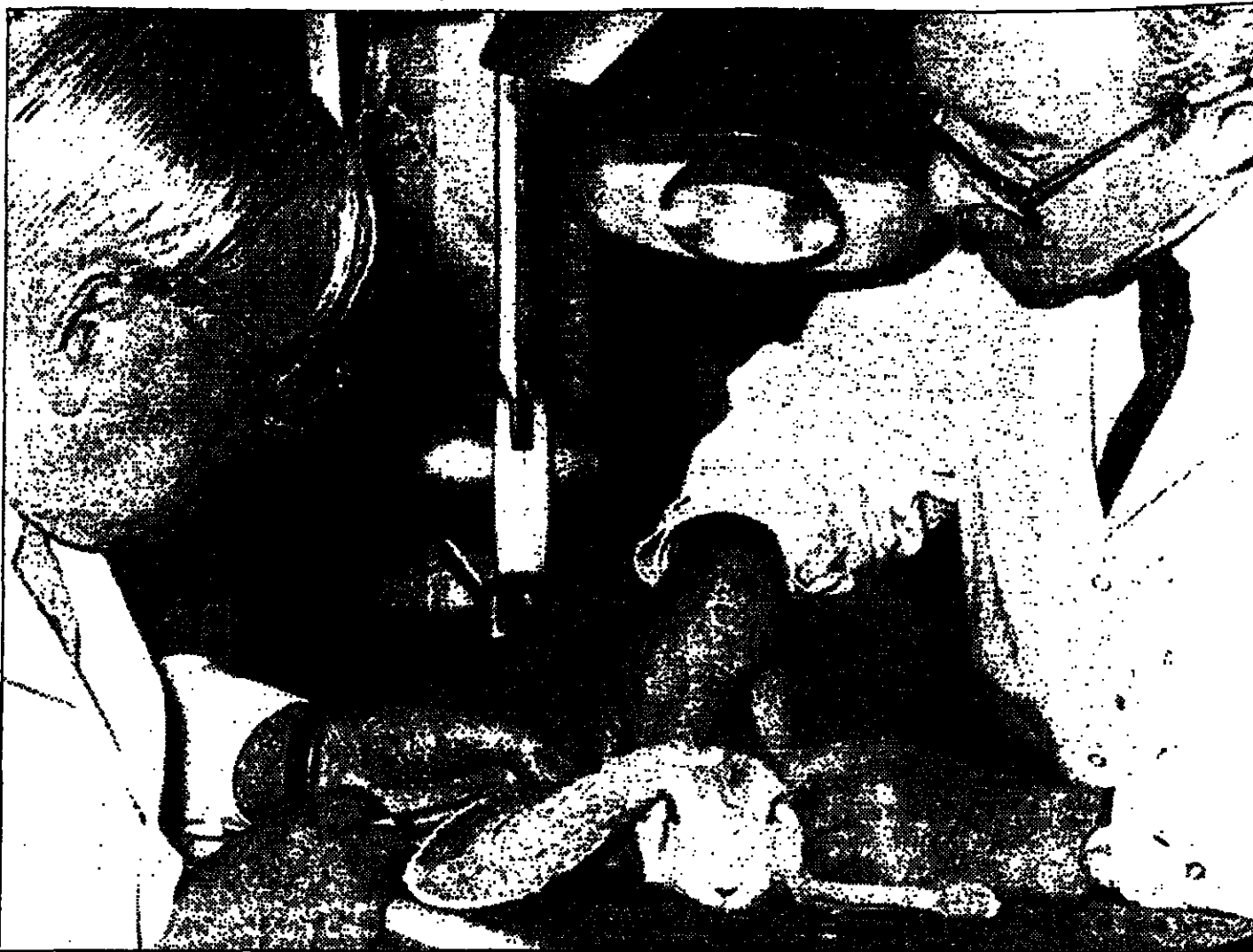
The council should have quickly rejected his application for a research grant to do the work, but he was allowed to continue because of his reputation and compassionate feelings towards him, the report says.

During the experiments on rabbits, carried out between November 1989 and April 1990, Professor Feldberg displayed symptoms of senile dementia. Ironically, Professor Feldberg's greatest work was his contribution to the discovery of the chemical-signalling mechanisms of the brain, which provided the scientific foundation for treatment of mental illnesses such as Parkinson's disease and Alzheimer's disease.

"If no animal had suffered and Professor Feldberg had produced some invaluable findings — as he has so often done in the past — we would all be applauding the courage of those who backed him and the extraordinary acumen of a man who ignores his own birth certificate," the report says. "Alas, there was no fairy-tale ending and we must address ourselves to the harsh realities."

The report criticises the role of the council and the Home Office in allowing the experiments to take place. Neither body adequately weighed the likely benefits of the project against the likely adverse effects on the animals involved.

Decisions taken by the council were generated "by compassion rather than scientific judgment... and took no account of the



Professor Feldberg (left) and fellow researcher John Stean testing rabbits which "perished for no discernible reason"

sacrifice of animals which would surely follow," the report says. "A similar submission from a less distinguished applicant would have been rejected pre-emptively."

Dai Rees, the council secretary, said: "We accept that unnecessary suffering was caused to up to four rabbits and that there were failings of responsibility." "Dr Rees said some of the inquiry's recommendations were already in force and the implementation of others would follow shortly."

He said the council uses about 100,000 animals a year, including 98,000 rodents, 1,000 rabbits, 500 chickens, 500 frogs and 150 of other species. The use of rodents had been halved since 1984, and that of other species had been

reduced even more drastically, he said.

Professor Feldberg's experiments were exposed after Melody MacDonald, an animal rights supporter, persuaded him she was interested in his work. He allowed her and a colleague, Mike Huskisson, an animal rights campaigner, to watch his work over the course of two years.

Mr Huskisson compiled more than 30 hours of videotape that he shot in the laboratory, and the material was acquired by Advocates for Animals, an organisation previously known as the Scottish Society for the Prevention of Vivisection.

The organisation then submitted the evidence to the Home

Office last year and released details to the media. The Home Office immediately revoked the licences allowing Professor Feldberg and his technician assistant, John Stean, to carry out experiments. The inquiry was set up as a result.

Les Ward, a spokesman for Advocates for Animals, said at a press conference held by the council yesterday: "We took no satisfaction out of bringing this case but there are people who need to be severely reprimanded, if nothing else." He welcomed the report.

The report recommends that the Home Office reviews annually the research licences held by individuals who have passed their

70th birthday, with particular consideration given to their state of health. It also calls on the council to raise with the Home Office an increase in the number of its inspectors who visit research centres where animal experiments are conducted.

Angela Rumbold, the Home Office minister, defended the report's criticisms. "The key point is the way in which the experiments were carried out," she said. "We removed the personal and project licences of those involved immediately it became evident that animals had suffered. We have asked the MRC for the evidence they have collected to see if any further action is necessary."

## Two more Iraqis are held as risk to security

By STEWART TENDLER, CRIME CORRESPONDENT

TWO more Iraqi students have been detained and face deportation as risks to national security, the Home Office said yesterday. A total of 52 Iraqis and Palestinians are now being held in prison.

The Home Office advisory panel hearing representations against deportations examined four more cases yesterday, bringing the total in the last week to eight. Further cases are expected to be heard today and Lord Justice Lloyd, who is chairing the panel, has also asked for hearings on possible adjournments.

Last Friday, the panel heard the case of Abbas Cheblak, a noted commentator on Arab affairs and a public supporter of contention with Israel. Jane Coker, his lawyer, said yesterday that the hearing lasted about 45 minutes and she was not allowed to attend either as his lawyer or as a friend. In some hearings by similar panels in the past, lawyers have been present as friends of the people facing deportation.

The new Broadcasting Standards Council is to ask broadcasters for their response after receiving a number of viewers' complaints about television coverage of the Gulf war. A meeting will be held on February 18 (Michael Horsnell writes).

The strongest complaints centre on pictures of allied prisoners of war. Meeting yesterday for the first time, the council decided the matter was too complicated to rule on without a wide canvass of the broadcasters.

A spokeswoman said: "There has been some discussion, but the council has decided the best way to meet the needs of a developing situation is to hold a discussion to consider the wider implications. It's a very difficult area. There are news priorities as well as sensitivities of the public to consider."

## Blacks 'face benefit bias'

Social security offices are discriminating against black claimants who are often given incorrect payments or wrongfully denied benefit, a report by the National Association of Citizens Advice Bureaux claims today (Jill Sherman writes).

Black people face humiliation, delays and ultimate hardship in obtaining benefits, and are often asked for passports as proof of identity and racial discrimination is experienced at social security appeal tribunals, the report says. Claimants who can speak little or no English are refused benefits on the ground that they are not available for work, it says.

## Daily video watch

One in two young people spends five hours a week playing video games and four hours daily watching television, according to a survey by the Scout Association. Three per cent had taken drugs and one in ten had been offered drugs or been involved with the police in the past year. Thirteen per cent admitted smoking two packets of cigarettes a day.

## Jailed man's plea

The Crown Prosecution Service is not to contest an appeal in London today by a man who alleged that the now-disbanded West Midlands serious crime squad fabricated evidence in his case. Gary Binkins, aged 28, of Winsford Green, Birmingham, was jailed for three years for a jewellery theft in 1986 and is due in the Court of Appeal today to appeal against conviction.

## Schoolboy cleared

A schoolboy who killed his alcoholic father walked free from Swansea Crown Court yesterday. Mark Patel, then aged 16, of Newcastle Emlyn, Dyfed, caused massive internal injuries to Dr Rajendra Patel, aged 49, when he stamped on him after years of bullying. Mr Patel, who admitted manslaughter on the grounds of diminished responsibility, was put on probation for three years.

## MP's complaint

The Press Complaints Commission is to deal with a complaint by Clare Short MP against the *News of the World* which she alleged had raked over her private life. The commission announced yesterday that it would be taking over the matter because Ms Short has dropped her threat of legal action against the newspaper.

## Short draws level

Nigel Short has won the sixth game of his London world championship qualifying match against Jon Speelman, to tie the match score at 3-3 with two games left. Short, playing white, adopted the old-fashioned and unusual four knights game, and as play progressed it became clear that Speelman was unfamiliar with the nuances of that opening.

## Kent leader joins call for open poll tax review

By DOUGLAS BROOM, LOCAL GOVERNMENT CORRESPONDENT

A SENIOR Conservative local government leader yesterday joined growing criticism of the way in which the government's poll tax review is being conducted.

Tony Hart, Tory leader of Kent county council, said there was a grave danger that the review would produce an alternative to the charge that caused as many problems as the tax it replaced.

He said debate about the future of local government was being conducted behind closed doors in Whitehall. "We have got a secret group of civil servants looking at the poll tax and nobody knows what is going on."

"There must be a fear that this review is being done by a lot of accountants and people who do not know how things work in practice. It is a big debate that ought to happen in public."

"There should not be a quick fix concocted by people who have gone from school to university and into a research department without ever having had to work in local government," he said.

His comments echo those of Sir Jack Layden, Labour chairman of the Association of Metropolitan Authorities, who said at the weekend that ministers had gone back on a promise to publish options for change. There is mounting concern among council leaders that they are being asked to offer ideas to the review without being given any indication of government thinking in return.

Local government leaders are due to meet Michael Heseltine, the environment secretary, on Thursday to discuss the review.

Among Tory ranks there is alarm at the way in which party members are being consulted. Two conferences for Conservative council leaders have been held.

Mr Hart, a long-time supporter of a return to a property-based tax and locally determined business rates, believes that ministers should allow at least two years for a careful study of future plans.

Attempts to end one of the longest of local government strikes were in jeopardy last night when union officials at Greenwich in southeast London rejected part of a settlement deal put forward by the Labour council.

Nalpo, the local government officers' union, accused the council of altering the terms under which some of the 300 staff who have been on strike for nine months are to be moved to new jobs when they return to work.

The strikers voted on Friday to end the strike, but reversed that decision yesterday. The council denied making changes and said that it hoped the strike, over payments to cashiers for collecting the poll tax, would end soon.

## Labour launches North-West initiative

By RONALD FAUX

RECESSION in the North-West is causing the closure of 100 companies a week and driving unemployment beyond 250,000, Gordon Brown, shadow trade secretary, said yesterday in Manchester.

Launching the Labour party's industrial policy for the region he said investment in the North-West was falling below its level of ten years ago making Britain the only country in western Europe where investment had dropped during the run-up to 1992. Mr

Brown said that Labour's policy would bridge key gaps in technology, investment, trade and training.

A Labour government would create a regional development agency run by local people to meet local needs with power to develop the infrastructure, invest in new technology, prepare new industrial sites and develop links with the banks and venture capital firms to stimulate long-term investment.

A North-West technology network supported by the govern-

ment would provide a one-stop small business service with technological consultancies helping small businesses benefit from the latest innovations. Regional incentives would be given a training and technology element and a regional dimension added to take-over and merger policy to counter short-term actions. An exports service for the area would help small and medium sized firms break into overseas markets and government action would underpin national training objectives.

Mr Brown said: "The North-

West needs a modern industrial policy for the 1990s to end a situation where we are slipping further behind both the prosperous areas of the United Kingdom and our European competitors." The government, he said, had abandoned regional measures just at a time when they were most needed. The 72 per cent fall in aid to the North-West was the biggest suffered by any region in Britain.

RTZ, the multi-million pound metal and mining group yesterday blamed the fall in world tin prices and the strengthening of sterling against the dollar for a decision to close a Humber-side tin smelting plant with the loss of around 500 jobs (Tim Jones writes).

The decision comes two years after a survival plan was introduced at the plant which had been incurring huge losses.

Gerald Skinner, a spokesman for RTZ said: "Obviously we are very sympathetic with the workforce and the management who face this situation. It has been brought about by the international metal markets and exchange rates."

British Coal is to cut 150 jobs at Creswell colliery, North Derbyshire, in a final effort to halt losses. It is to open a new face for the remaining 550 miners.

## A chill breeze ruffles Winchester

TWELVE months ago Winchester was the employment capital of Britain. It had the lowest jobless total in the land, 1.6 per cent of its working population (Paul Wilkinson writes).

But yesterday the city's employers were agreeing with a Labour Party report which claims that even the Conservative heartland of the South-East is experiencing recession.

Winchester's present jobless figure of 2.3 per cent would be the envy of Yorkshire and the North-West, but in Hampshire, Britain's richest county, the upward trend is

a course for concern. With a population of just under 100,000, the city has a high number of independent businesses, nearly 2,000 at the last survey, and they are the ones that suffer.

"There is no doubt that there has been an increase in the number of redundancies, especially in skilled areas," said Tony Peterson, president of Winchester Chamber of Commerce. "I know of one firm of architects which last year had a staff of 40, now they are down to eight."

The city's biggest private employer, IBM Computers, which

has 1900 staff at its development headquarters outside Winchester, has announced it will not be recruiting any science graduates this year. Last year the company employed more than 200 nationally. Additionally, 130 jobs are being transferred to Greenock.

David Cowans, chief executive of Winchester City Council, said that his authority was finding it easier to recruit staff, which was "a certain indication that the number of people out of work was increasing." The quality of applicants had increased as people lowered their sights in the search for work.

## Tradition broken as the art of drawing comes to life

After 150 years, the Royal College of Art has started drawing classes. Simon Tait joined the artists and a model

KATIA is sought after. She is French and models for life classes all over London seven days a week to pay for English lessons. "Here is the best, you can feel the quality of the students and the teachers is over the top, better than anywhere else. I like to model here; there is an atmosphere that you cannot make, it just happens."

The Royal College of Art, Britain's only post-graduate art school, has succumbed to student pressure. For the first time in its 153 years the RCA is offering a studio running classes and a professor. Two days after its opening last week I joined a well-populated studio and Adrian Montford's class.

There had been a growing debate on whether the tradition of not teaching drawing in this art school of all art schools should be broken: was drawing a tool which students should already have, as many art schools believe, or a skill to be perpetually honed?

Two decades ago David Hockney lectured the college's advisory council on the virtues of the drawing class. Once the



Adrian Montford directing model Katia on the right pose as the first lessons start

RCA's enfant terrible, almost sent down for not attending lectures, Hockney is now Britain's most successful living artist.

Two years ago the students' union representative spoke up for drawing at the senate. The debate began in earnest when it was discovered that students in at least ten of the 17 departments, particularly industrial design, were hiring their own models and teachers for drawing.

Jocelyn Stevens, the rector, wanted a drawing school to serve all departments, but Bryan Kneale, head of sculpture at the time, told the senate the thing could be "absolutely disastrous if it was stodgy, boring, fashionable." Six months later he found himself appointed the RCA's first professor of drawing.

"What I'm trying to do is extend the thing, not only in the drawing from life which can be taught in a very ordinary way, but by bringing some of the best

people we can think of for different aspects."

Montford is a sculptor who teaches in an ordinary way. He gives his students pain, and there was a wariness in the studio as he called the class of textile designers, stained glass artists and tapestry makers to order.

"When Giotto was asked to compete for the commission of a new church he was too busy to draw anything, but a perfect circle. He got the job," he told us

as Katia wrapped her towel more tightly around her. The RCA's ambition knows no bounds, and we were to be little Giottos.

"You'll find it impossible, but the secret of drawing is getting it wrong then making it right. You might draw two good lines and the third one is a lie. Make the lie believable."

Then we were to draw Katia, not as we could see her but as we imagined we could if we were standing at 90 degrees away from our easels. "This is when you begin to suffer for your art," Montford growled over his shoulder. "You have to believe that when you've finished it what you've drawn can walk off the page."

The charcoal vestiges of Katia on my page were to stay exactly where they were.

Dilys Stinson has been a successful tapestry maker for 15 years and joined the RCA's course last October for what she calls a creative break. "I need to train my eye and my hand to work together, and that is exactly what I'm learning." Curiously, fine art students are not frequenters of the drawing studio, but they will come. "Artists are turning back to using drawing because it is the most personal way of expressing yourself," Professor Kneale says, and he quotes Henry Moore: "We are all human and the thing we wish to understand most is ourselves."

## Sentencing council plan denounced

JOHN Patten, Home Office minister of state, will today seek to ward off a widely backed move during the passage of the Criminal Justice Bill for the creation of a sentencing council to issue guidance to judges (Frances Gibb writes).

In an article in *The Times* today, he rejects mounting calls for a sentencing council or commission as a "fashionable nostrum" and says that such a body could impose "the dead hand of consistency" in sentencing.

Sentencing is the concern of everyone, he says, and "sentencing principle and sentencing practice are matters of legitimate concern to government". However the independence of the judiciary from the legislature and the executive must be maintained, Mr Patten says. "Parliament — and certainly ministers — should not tell judges how to sentence in particular cases."

Legal expenses insurance to improve access to justice for those excluded from legal aid was urged yesterday by the Law Society and the Consumers' Association.

Legal brief, page 32

## Leading article, page 11



## Evangelical missions to Jews a threat to minorities, bishop says



David Sheppard: call for Christian repentance

THE Rt Rev David Sheppard, Bishop of Liverpool, has warned that the Decade of Evangelism, launched last year, could be a "threatening signal to minority groups" who hold other faiths.

"Our repentance from the terrible things Christians have done to Jews down the centuries, including our own, should include renouncing the deliberate targeting of Jewish people for evangelism," he said.

The bishop's warning, published this month in the influential theological journal *The Expository Times*, comes as the Jewish community prepares its defence against an American missionary organisation which plans to set up a permanent base in Britain.

Jews for Jesus evangelists believe that Britain is approaching a "Jesus revolution" similar to that in the US in the 1970s and hopes to open a London office

A leading Anglican has warned against attempts to convert Jews during the Decade of Evangelism. Ruth Gledhill reports on differing Christian approaches

early next year. The Jewish community is stepping up plans to educate its young to help them withstand "missionary attack".

Bishop Sheppard said: "No doubt the greatest threat to Judaism, as to other faiths, comes from secularism; but the fear of manipulation by Christians remains deep."

Jews for Jesus, which is funded by individual donations, wants to develop links with the evangelical community in Britain. Its London office will be independent of the US organisation and will be staffed by British "messianic Jews" who believe in Jesus.

Rabbi Shmuel Arkush, who heads Operations Judaism, an organisation set up to counter the missionaries, said: "The Jews invented the Messiah. We have the patent on him. The Messiah is someone who will bring peace and harmony to the world, salvation to the Jewish people, rebuild the Third Temple and ingather the exiled Jews. Christianity has taken the Messiah and turned him into the Son of God. That is not required by Judaism at all."

Rabbi Arkush tours universities, colleges and synagogues, armed with a 20-minute video "for internal Jewish defence" and examples of missionary literature. Operation Judaism is sponsored

by the Board of Deputies, the office of the Chief Rabbi and the Lubavitch Foundation, an educational organisation. Rabbi Arkush warned of possible violence. "The Jewish community is not violent but people are getting fed up by this constant harassment," he said. "The fact is you cannot be Jewish and believe in Jesus."

Jews for Jesus denies aggressive tactics and says Jews are free to take or leave the message printed, often in Hebrew, on pamphlets handed out to adults on busy street corners such as Oxford Circus, central London. Its music group, The Liberated Walling Wall, toured Britain last September and is due to visit again this year.

Moishe Rosen, the Jewish-born Baptist minister who is executive director of Jews for Jesus in the US, said: "The reason we are going is simply because most Jews

continue to believe that being Jewish and believing in Jesus is antithetical.

We would certainly respect someone's opinion if they say they do not want to believe. We do not attempt to persuade, we attempt to make a statement."

Rabbi Hugo Gryn, senior rabbi at the West London Synagogue, said: "They are among the last of the religious triumphalists left. The Jewish community is more than concerned, it is upset. This flies in the face of everything that inter-faith relations are about, it is a betrayal. In a theological way it is saying that God got it wrong. I have never in my life trusted someone who wanted to save my soul."

"What is important for the Jewish community is that we get our act together. There are young people who have become in a way so alienated from their Jewish roots that they will follow almost

any guru who can offer them a formula for salvation."

The Church of England has its own organisation, Church's Ministry among the Jews (CMJ), whose London team is headed by Richard Harvey. He will soon resign from the CMJ and join Jews for Jesus for leadership training in the US, after which he will return to head the organisation in Britain.

According to Prebendary Marcus Braybrooke, an Anglican clergyman engaged in inter-faith work, aiming at Jews during the Decade of Evangelism, which was launched last month by all the main churches, would be "insensitive after the horrors of the Holocaust, for which centuries of Christian anti-Jewish teaching prepared the way". In 1988 the Lambeth Conference rejected "any view of Judaism which sees it as a living fossil, simply superseded by Christianity."

## EC proposes 'eco-label' to boost green consumerism

By MICHAEL MCCARTHY, ENVIRONMENT CORRESPONDENT

A LABEL that will be put only on products satisfying the toughest rules of environmental worth is being proposed for Europe.

The plans, drawn up in Brussels and to be announced to member governments in the next few days, are likely to revive the interest in green consumerism shown in 1989 which died away after several well-publicised cases of firms making misleading environmental claims for their products.

The European Community eco-label will be granted only to products that satisfy stringent criteria from their manufacturing process, through their use, to their ultimate disposal. These will include propensities for air, water and soil contamination, for waste

and noise production, and for consumption of natural resources and energy. The detailed criteria are to be drawn up by the European Commission.

Although voluntary, the eco-label, which will run for a three-year period, is likely to give a commercial boost to any product. Food, drink and pharmaceuticals will be excluded, as will hazardous substances, as they are already covered by other regulations. A wide range of goods, from aerosol sprays to refrigerators, would initially be eligible, and the commission says that the scheme might later be extended to other products.

The commission proposes to award the label in two stages: candidate products will first be assessed by a body in the member-state concerned

and, if they pass this hurdle, will be referred for the award proper to a jury of 18 people, sitting in Brussels. The jury will consist of one representative from each of the 12 member-states, with the remaining six representing industry, commerce, consumer organisations, environmental groups, the labour movement and the media.

The idea of the Brussels jury is unlikely to commend itself to the British government, which, with the 1992 single market in mind, has been the notion of a single eco-label for the EC. Although it is fully accepted that the criteria must be determined centrally, Britain would prefer the label itself to be awarded at national level, as ministers believe that would be much quicker and avoid bureaucracy. Britain may well press for this in forthcoming negotiations.

The proposed design for the label provides a fine example of the commission practising what it preaches in terms of saving waste and recycling: it has been used at least three times before, as the symbol for the European Year of the Environment in 1987, as the symbol for the commission's own environmental directorate and as the symbol for the EC's environmental strategy for the Mediterranean.

An RSPCA inspector called to the home of a former dog breeder found dogs fed deep in excrement, magistrates at Launceston, Cornwall, were told. Monica Bister-Smith, of Altarnun, was fined £500 with £500 costs for causing dogs unnecessary suffering.

### Patient stable

Tamara Rainey of Belfast who had a second liver transplant at Addenbrooke's Hospital, Cambridge, on her second birthday on Saturday, was said to be in a serious but stable condition yesterday.

### School opts out

Governors of the 462-year-old Bingley grammar school in West Yorkshire learnt yesterday that it had become the first to be allowed to opt out of Bradford council control.

### Water ban stays

Mid-Kent Water has extended its drought order for another six months because it says water stocks are still well below normal levels.

### Payout hopes

Staff at *The Sunday Correspondent* who lost their jobs when it closed in November may receive redundancy payments after the purchase of the title by Robert Maxwell, the newspaper publisher.

### Bond winners

The £250,000 National Savings premium bond prize for February has been won by the holder of bond number 12FW 179425, who lives in Surrey.



Blast aftermath: An official assessing the damage yesterday at the social security office near the UDR base

## Education adviser quits 'laughing stock' authority

By CRAIG SETON

A SENIOR education adviser in Birmingham resigned yesterday, claiming that the Labour-controlled city council's education authority was so directionless, bureaucratic and inefficient that it had become a laughing stock.

Dick Atkinson, appointed two years ago at a salary of £36,000 to run a community education initiative, referred in his resignation letter to a "catastrophic defect" in the city's education service.

He said that educational standards were unacceptably low and most children significantly under-achieved.

A survey indicated that in parts of Birmingham 87 per cent of children aged eight had a reading age lower than their real age. By the age of 16, only 12 per cent passed GCSE English and eight per cent mathematics, although results were better in other parts of the city.

He urged education officials not to fill his vacancy, but to spend the money saved on creating 12 pre-school posts. The same could be done with the salaries of other education chiefs, he said.

Dr Atkinson said that some of the education department's best officers were leaving because their ideas for running the system efficiently were ignored. Those who stayed were demoralised.

He said that the four schools that had opted out of the authority's control because they felt uncared for might soon become a "blood-flowing

wound". Dr Atkinson, a former lecturer at Birmingham university, was appointed to the St Paul's inner city project at Balsall Heath. His resignation letter said of the authority: "Organisation, relationship and the culture they have produced are so directionless and unrelated to customer need that they might as well not exist for all the good they do."

"Any corner shop or lame duck industry which in today's world had such a sad record of spending other people's money to no avail would be put out of its misery and closed down overnight."

Dr Atkinson said that the service had become a laughing stock in the city's schools. "Again, worse, it has become a standing joke in educational circles throughout the country. Anyone thinking of applying to Birmingham for a teaching or officer job is told by those in the know: 'Think of your career. Go elsewhere.'"

Education officers in Birmingham were said yesterday to be considering a response to Dr Atkinson's letter.

## Social factors may be considered in exams

By JOHN O'LEARY, HIGHER EDUCATION CORRESPONDENT

SCHOOLS' examination results may be weighted to take account of their pupils' backgrounds when tests under the national curriculum produce enough data.

This year's GCSE results, which state schools are obliged to publish for the first time, will not take social factors into consideration. But the education department is hoping to devise a more sophisticated system for future years.

Compensations may then be made with results at earlier stages of the curriculum. No decision has been taken on whether to include social factors, such as family income and housing, in any formula. Local authorities are pre-

ing ahead with their own system of assessment, fearing the introduction of "league tables" of schools compiled from exam results. Stephen Byers, who chairs the Association of Metropolitan Authorities (AMA) education committee, said that such tables would be meaningless.

He said: "If a pupil enters one secondary school unable to read properly and ends up getting several good GCSE grades, the school has done a far better job than another school which a pupil enters top of the class and leaves with one A-level."

The AMA research will compare results and intakes in at least 20 authorities.

## Minister says bomb belies Sinn Fein pledge

From A CORRESPONDENT IN BELFAST

BRIAN Mawhinney, minister of state at the Northern Ireland Office, yesterday said it was a miracle that nobody was killed in the "proxy" bomb explosion in the town of Magherafelt, Co. Londonderry, on Sunday night.

The blast came hours after the conference of Sinn Fein, the political wing of the IRA, at which it was emphasised that the republican movement wished to engage in a peace initiative.

The bomb was aimed at a security base but instead damaged 50 houses and commercial premises. Dr Mawhinney cited Sinn Fein's statement that it wanted to help to break the vicious circle of violence. "Their words are empty."

The explosion came after a man from the village of Tobmore, five miles away, was forced to drive a bomb in his van and abandon it outside the Ulster Defence Regiment base. He jumped out of the vehicle, shouted a warning, and the bomb exploded minutes later. The man's wife was also taken hostage at gunpoint but was freed later.

The abducted driver worked for Henry Brothers, a Magherafelt building firm. Ian Paisley, the Democratic Unionist party leader, met Peter Brooke, the Northern Ireland secretary last night, and said the Protestants were at "breaking point".

## Rose petals in the turn-ups decide fate of a marriage

By FRANCES GIBB, LEGAL AFFAIRS CORRESPONDENT

THE future of a marriage hung yesterday on the number of steps taken by the groom around a holy book. In the end, though, it was the rose petals in the groom's turn-ups that decided the couple's fate.

Prashdev Bedi, the groom, claimed that his marriage was invalid, as he had walked only twice around the Sikh holy book, instead of the four times required by the religion.

In the face of a divorce petition from his wife Inderjit, he was seeking to persuade the judge that his marriage had never taken place. So he cross-petitioned on the ground of jactitation.

The divorce action heard in chambers in Winchester, Hampshire, was probably the last to make use of jactitation — a false assertion by one person of being married to another — as grounds because it was recently removed from the statute book.

Mr Bedi's claim, if successful, might have removed any future financial obligation to his wife, as well as any liability for legal costs.

However, after closely studying the album of the 1965 wedding, the judge, Mr Justice Hollis, spotted rose petals on the trouser bottoms of the groom and ruled that the marriage had taken place. Flower petals, the judge explained, are not thrown at a Sikh wedding until after the ceremony.

The wedding album was produced by Inderjit Bedi, of Earls Road, Portsmouth, Southampton, when her husband Prashdev, an electrical contractor of Desborough Road, High Wycombe, Buckinghamshire, cross-petitioned on the ground of jactitation.

Granting Mrs Bedi her de-

ree, Mr Justice Hollis said that Mr Bedi had claimed that the Delhi marriage ceremony in February 1965 in a Sikh temple was never completed.

He and his bride, holding his saffron scarf, had walked only twice round the holy book instead of the required four times. The judge referred to the flower petals and their significance and said that other pictures in the album showed guests and the couple's parents eating sacred food and leaving the reception.

That also indicated that the marriage ceremony had been completed, the judge said. He was satisfied that the couple were legally married.

Mr Bedi was ordered to pay his wife's costs, conservatively estimated at £15,000.

The purpose of a petition for jactitation of marriage was to prevent unjustifiable assertions that marriage existed. The remedy was a declaration by the court that the parties were not married, coupled with an injunction forbidding the respondent from claiming that he or she is married to the petitioner.

The remedy, which derives from the ecclesiastical courts, was rarely used: the last known case, according to the Law Commission, was in 1968 and the commission finally concluded that the suit was "today inappropriate and should be abolished". That was recommended by the commission in 1984 and implemented through the Family Law Act 1986.

The act came into force in stages and the section on jactitation, which is now replaced with a declaration of marital status, came into force in 1988. Yesterday's action, was started before then and is likely to be the last.

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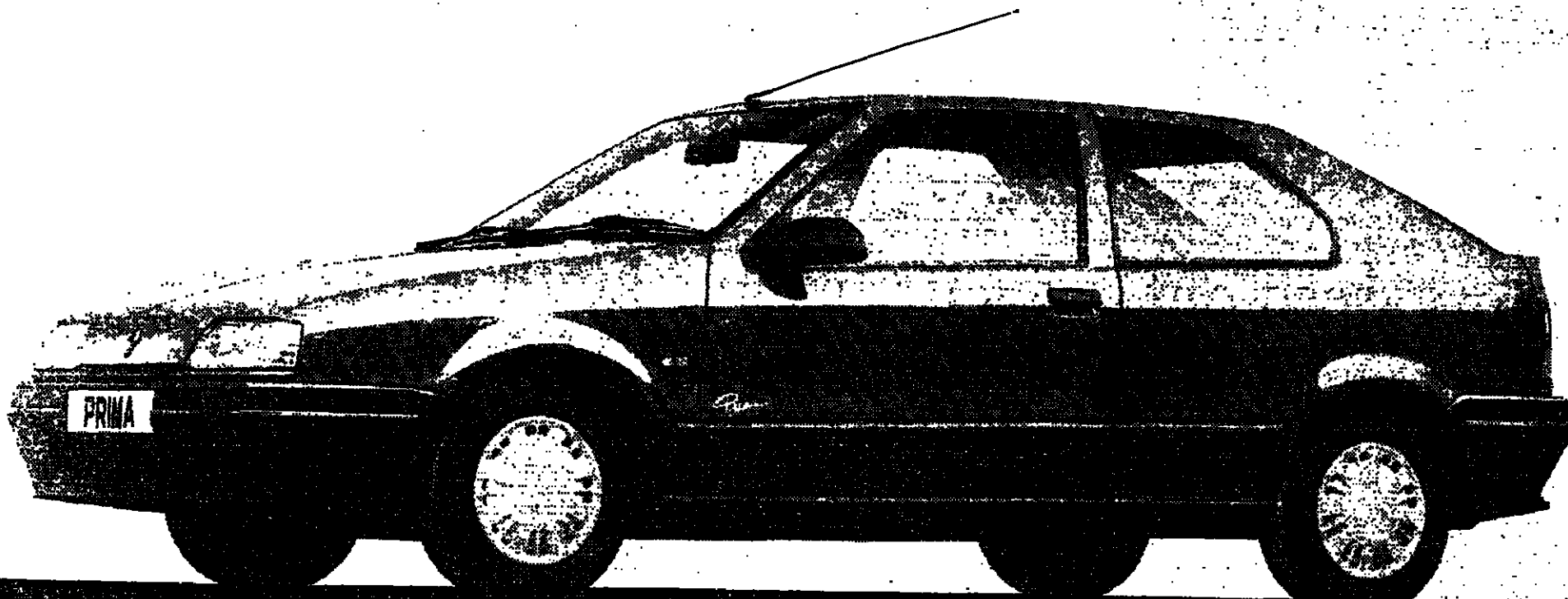
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# Talk of early poll leads Labour to renew attack

By ROBIN OAKLEY AND PHILIP WEBSTER

THE Labour party has resumed normal political hostilities. Despite the risk of alienating public opinion while there is a war raging, Neil Kinnock and his team have begun a full attack on the government's economic record.

They have done so for two reasons. The first is that, of the dozen main opinion polls taken since John Major became leader of the Tory party, Labour has led in only one. The party fears the development of government momentum. The second is that Mr Kinnock and his colleagues are aware of the spasm of early election talk among some senior Tories.

A survey by *The Times*, however, has found little appetite on the Tory back benches for such an election. Nor is there any evidence as yet that the prime minister is tempted.

The present five-point Tory lead would put the party back in power with a 40-seat majority if the election were held tomorrow. But that is with a "Gulf factor" clearly at work and Mr Major's personal ratings in the stratosphere. Senior ministers say, however, that the war is unlikely to end "tidily" enough for a triumphalist khaki election, even if that were in the prime minister's nature, which they doubt.

Mr Major himself has told colleagues that trouble on the economy has merely been

postponed and that when the public focuses once again on domestic issues the going will be rough. The war may even be a penalty without it, people would have wearied of the economic arguments by summer. Now they will come to them afresh when the war ends.

So why is there the election talk? First, because some ministers believe that a window of opportunity will present itself in May-June, with the polls still high after a successful war, inflation starting to come down and interest rates beginning to follow. They fear that delay will see the recession biting so hard that recovery later will be difficult.

Second, it is argued that Europe could begin to split the party once again in the summer as the work of the inter-governmental conferences on economic and political union comes to a head. Mr Major told the No Turning Back Group a while back: "There is a wolf coming up the Tory party's garden path and it is called Europe". Better to go to the polls, some say, before he has to present to Parliament an unpalatable Euro-cocktail, perhaps even one to be opposed by a certain Margaret Thatcher.

Third, some close to the prime minister argue that Mr Major is entitled to cash in on early summer on the ground that as a new prime minister he has done his own thing but bound still by his predecessor's manifesto he needs to win a new mandate. The legislation from that manifesto will be through by then. Against the early election, others claim that the country already feels it has had a change of government with Mrs Thatcher's departure and does not want to buy that argument. It is said that Mr Major, as a former chancellor, has to see the economic indicators turn round significantly before he can face the electors with confidence. Labour would claim she was cutting and running. If the markets believed that there was a sniff of truth in that, then prophecies of doom might become self-fulfilling.

Finally, there is the argument that Mr Major has been so preoccupied with the war that he will have no time before the summer to set out new policies. "We have no hymn sheet yet to sing from" one minister said yesterday. The new ideas on education are still in the early morning bath stage, not in the think tanks.

That applies to the poll tax too. The worst trouble has been bought off. But Tories still expect a grim time in this year's local elections. For that reason, they say, any early election would have to be in May on local election day.

A wide spread of MPs canvassed at Westminster yesterday variously called the idea of a "khaki election" crazy, daft and a gambler's throw that would be un-

characteristic of the cautious prime minister.

Senior MPs said that within a three-week campaign people's minds would turn swiftly from the Gulf to the recession, mortgages and poll tax bills. Labour's strong support for United Nations action in the Gulf might reduce any political benefit accruing to the government.

Ministers accept, however, that the June option is one of only three available to the prime minister and they are ensuring that all options are kept open. They believe that an early end to the Gulf war could push speculation to such a pitch that in the end Mr Major would have little alternative. But, although Mr Patten will have the election machine ready for June, the consensus among MPs was that it was more likely to be needed next spring.

Among all MPs contacted yesterday the October option seemed to be fading. The main reason adduced for not going in June — the state of the economy — was seen as an even more valid deterrent in October.

One of the strongest voices for caution came yesterday from Sir Neil MacFarlane, the former minister. He said: "It is nonsense for anyone in the government or central office to start speculating about an early election now, given the range of economic factors we are facing."

"There is a long way to go on the economy and, unless we have an urgent reduction in interest rates now, unemployment will be as big a problem as it was eight years ago. The chill of economic gloom is hitting London and the South-east as much as other regions."

A senior member of the Conservative 1992 executive said that he detected little enthusiasm within the executive for a June election. "I think it would be crazy. Our postbags are not full of letters about the Middle East; interest rates and the poll tax are the issues still worrying people."

Sir Robert McCrindle, MP for Brentwood and Ongar, said: "I oppose the idea of a khaki election. I would be astonished if anyone in the government or at central office is contemplating such a thing."

"My own belief is that the next election, like most past elections, will be decided by the economy. Increasingly we read evidence that 1992 is the likely date by which inflation and interest rates will have been reduced and when we would have the opportunity of returning to the prosperity on which our past victories have been based."

Among most MPs one of the factors pointing against June is Mr Major's own personality. He is a consummate politician and if all the indicators were pointing to a June victory he would go down that path. However, it is more likely that he will be swayed by the electoral perils of cutting and running.



Sorrowful parting: Sir David Steel with his rare, 150mph, 1986 Jaguar XJS. He is selling by auction in London on Friday because his wife, Judy, refuses to drive it.

## Alcohol-free bars unrealistic

By QUENTIN COWDRY, HOME AFFAIRS CORRESPONDENT

RESEARCHERS have dismissed as unrealistic government hopes that bars selling alcohol-free or low-alcohol drinks to teenagers might be established throughout Britain.

A survey of 60 alcohol-free bars established since 1986 found that half were either operating unprofitably or had closed. The research will disappoint ministers who believe that teenage bars might reduce the problem of under-age drinking and encourage youngsters to learn how to consume alcohol sensibly.

The research, conducted by the Portman Group, a pressure group that aims to promote sensible drinking, found that most youngsters aged under 18 were not interested in alcohol-free or low-alcohol beers or wines, preferring instead soft drinks. Clever marketing and determined management efforts had kept some of the bars open, but many more had failed through lack of turnover.

"While young people are generally

### DRINKS RESEARCH

supportive of the idea of an alcohol-free bar, our research indicates that they are only really interested in a place to go and the provision of non-alcoholic beverages is not relevant", the Portman Group said in its report on Sunday. Prospects for bars selling low-alcohol drinks to youngsters aged under 18 were unlikely to be any better, it added.

Alcohol-free bars began appearing in the second half of the Eighties as medical evidence grew of the dangers of alcohol consumption. Most are based in youth clubs run by churches or other organisations, though some have been set up in public houses.

The report said that there was a real need to improve recreational facilities for teenagers. Lack of such outlets, it suggested, drove youngsters into public houses and under-age drinking. It said: "If society's goal is to keep young people

under 18 out of licensed premises and off the streets, alternative leisure facilities must be supplied."

John Rae, director of the Portman Group, said: "Youngsters often go into pubs and buy alcohol not because they want the alcohol, but because they want a nice, warm, social meeting place."

The study suggested that one option was alcohol-free discotheques, specifically aimed at the under-18 age-group. Several were operating commercially, it said.

Local authorities, in particular, could do more to discourage children from going to public houses, the report said, adding: "All local authorities know their area's needs and have premises which could be used to provide entertainment venues for young people."

Interest in teenage bars has been voiced by the Ministerial Group on Alcohol Abuse, an inter-departmental body chaired by John MacGregor, leader of the Commons.



Artistic moment: Kenneth Clarke, education secretary, with Melanie Browning, aged 18, an engraver, during his visit to craft workshops at Pennybank Chambers in Clerkenwell, east London, yesterday.

## Opposition wants training revamp

By PHILIP BASSETT, INDUSTRIAL EDITOR

LABOUR party leaders moved yesterday to take some of the government's ground on training by putting forward proposals about how compulsory funding of training under a future Labour government would operate.

The government and employers' organisations have criticised Labour's plan to make employers fund training by requiring them to pay a levy if they do not train. The government argues that compulsory funding of training has not worked in the past, that it would be bureaucratic, centralised and inflexible and that the voluntary approach is preferable.

But Labour countered those charges yesterday by combining one of the government's present training provisions with a compulsory approach. Ministers are likely to accuse Labour of stealing the government's clothes, and the move away from a fully applied training levy will be coolly received by some on the Labour left.

Labour's initiative is likely to form a key part of an Opposition debate in the Commons tomorrow on training, which will also hear calls for an enquiry into the financial operation of the 82 Training and Enterprise Councils (Tecs), the business-led local bodies to which the government has in effect privatised the operation of training. This comes after the leaking of a memorandum from Sir Geoffrey Holland, employment department permanent secretary, that identified weak-

### LEVY SCHEME

nesses in the financial management of some Tecs and the overpayment of public funds.

In advance of the debate, Tony Blair, shadow employment secretary, put forward proposals for the funding of training, combining the obligation to train with the government's Investors in People scheme, under which employers with good training are given a government seal of approval. Labour claims to have proposed the Investors in People scheme first.

Under Mr Blair's new plan, an Investors in People seal of approval would become the "passport to exemption" from Labour's training levy. That marks a change from Labour's last policy review, when it said that employers that did not spend at least 0.5 per cent of their pay bill on training would have to pay the shortfall in a levy. Speaking in London, Mr Blair said that companies meeting the training standard would not have to pay the levy. Those that did not, would.

## Badger baiters face six months' jail

By NICHOLAS WOOD, POLITICAL CORRESPONDENT

LAWS against badger baiting are to be stiffened further today by the Home Office.

The changes will mean that for the first time people can be sent to jail for cruelty to badgers. In the past, jail sentences have been restricted to related offences such as maltreatment of the dogs involved in fights.

The announcement by Angela Rumbold, minister of state, will come against the background of increasing ministerial and backbench concern over barbaric maltreatment of badgers. It comes after a briefing from the West Midlands police, who have told Home Office officials that organised gangs have been taking the animals from their sets on the Welsh borders, transporting them many miles and then pitting them against dogs in illegal gambling dens at secret locations such as deserted industrial estates.

To even up the odds, the gangs break the jaws and feet of the badgers.

The organised nature of the crime and the waging of large sums of money mark an intensification of the more

### HOME OFFICE

commonplace forms of badger baiting in which packs of terriers are unleashed on the animals as soon as they have been dug out of the ground.

Ministers have already announced that under the Criminal Justice bill now before Parliament the maximum fine for cruelty to badgers will be increased from £2,000 to £5,000. Today's move stiffens the law by giving magistrates the power also to jail offenders for up to six months.

In addition, ministers will remind magistrates that they have the power to confiscate the vans used by the leaders of the gambling rings.

The changes bring the penalties for cruelty to badgers into line with those for maltreatment of domestic animals. They will be announced by Mrs Rumbold today in a new clause amending the Badgers Act, 1973, during the committee stage of the Criminal Justice bill.

However, they are unlikely to satisfy MPs pressing for even stronger measures.



## Lenient sentences increased by court

Unduly lenient sentences have been increased in 21 of 25 cases referred to the Court of Appeal, Sir Patrick Mayhew, Attorney-general, said in the Commons yesterday. Sentences had also been increased in the two cases he had referred in Northern Ireland.

John Marshall, Conservative MP for Hendon South, said that an 80 per cent success rate demonstrated the need for the power. He hoped that in their "tariff" of sentences, judges would take account of those increases.

## Child benefit will stay

Labour claims that the government is thinking of abolishing child benefit were rejected by Tony Newton, social security secretary, at question time. He said: "Child benefit is and will remain a strong element of government policy for family support."

## Prescriptions

The government supports the principle of nurses prescribing in certain circumstances, Virginia Bottomley, the health minister, said in a written reply, but the offer of no hope of legislation before the spring of next year.

## Law need

The crown prosecution service has 1,717 lawyers in post against an increased total requirement of 2,053, Sir Patrick Mayhew, Attorney-general, said in a written reply.

## Parliament today

Commons (2.30): Questions: Health; prime minister. Statutory Sick Pay bill, Lords amendments. Lords (2.30): New Roads and Street Works bill, report, second day. Debate on Aids.

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# White House calls for \$3.7bn reduction in defence spending

FROM MARTIN FLETCHER IN WASHINGTON

WHILE half the Pentagon has been concentrating on the huge military build-up in the Gulf, the other half has been working on a military wind-down of equal magnitude over the next five years that has been made possible by the ending of the Cold War.

President Bush yesterday sent Congress a proposed \$1,450 billion (£763 billion) federal budget for 1992 which envisaged steady annual cuts in the US defence budget and aimed to cut America's two million-strong armed forces by nearly a quarter by 1995.

The White House budget proposed defence spending of \$295.2 billion next year, \$3.7 billion less than this year even before inflation is taken into account although the cost of the Gulf war is excluded. The Pentagon will soon

send Congress a separate emergency funding request for \$15 billion towards the costs of Operation Desert Storm, hoping international contributions will cover the rest.

Defence spending would fall by an average of about three per cent a year in real terms under the proposed budget, and in 1996 would be 34 per cent lower than in 1985, the highest point of the Reagan administration's military build-up.

The overall aim is radically to restructure America's armed forces from a body designed to counter the global Soviet threat to a smaller, more mobile organisation capable of dealing with sudden regional emergencies like the Gulf crisis but still backed by a strategic nuclear force. "The in-

tent by 1995 is to design a force structure that is still capable of responding to the kinds of things we are encountering in the Middle East today," said a senior Pentagon official.

Nearly two dozen big weapons programmes are to be stretched out or terminated, including the Trident submarine programme after the production of 18 instead of 24 vessels.

Total manpower would fall by more than 111,000 next year, and by around 400,000 by the end of 1995. By that time the number of active Army divisions should have fallen from 18 to 12, aircraft carriers from 13 to 12, naval ships from 545 to 451 and air force wings, active and reserve, from 36 to 26.5. Reflecting the lessons learnt during the Gulf war, the A-10 anti-tank plane has been saved, and much more is to be spent on additional transport ships and on building stocks of military equipment at forward bases abroad.

The most controversial aspects of the administration's budget are requests for \$4.58 billion for the beleaguered Strategic Defence Initiative ("star wars"), nearly \$1.7 billion more than this year, and \$4.8 billion for four more radar-evading B-2 "Stealth" bombers, the programme which Congress very nearly killed this year. Congress is expected to oppose both.

Citing the success of the Patriot anti-missile missile against Iraqi Scuds, Mr Bush sought to breathe new life into SDI in his State of the Union address last week by announcing that it would be refocused on defending against limited ballistic missile attacks rather than an all-out Soviet attack. Spending on theatre missile defences for foreign operations is to rise from \$200 million to \$600 million.

Last year, with Democrats seeking a substantial "peace dividend", Congress cut by several billion dollars the amount the administration requested for defence, and many congressmen were seeking to do the same again this year, but two factors will complicate the arguments.

At a moment when global tensions seemed to be rapidly diminishing, the Gulf crisis suddenly erupted, demonstrating the importance of America retaining a strong military. In recent weeks, hardline communists and the Soviet military, which still controls roughly 25,000 nuclear warheads, have begun to reassert themselves in Moscow with a consequent deterioration in super-power relations.

Details, page 21

## Star wars benefits in proposed Bush budget

BY NIGEL HAWKES, SCIENCE EDITOR

THE strategic defence initiative is a beneficiary of the defence budget proposed by President Bush to Congress yesterday. Amid cuts to weapons systems such as the Trident submarine and the F16 fighter, "star wars" will get an extra \$1.68 billion (£850 million) next year, if Mr Bush gets his way.

In a budget of \$295.2 billion, \$3.7 billion less than this year, star wars will get \$4.58 billion, significantly higher than this year's \$2.9 billion. The request marks something of a renaissance for star wars, which has been battling against a sceptical Congress.

The success of the Patriot missiles in the Gulf, and a test last week in which a warhead was intercepted and destroyed 100 miles up in space, have helped a programme that for much of its life has been sustained by little more than wishful thinking. President Reagan's dream of a missile-proof shield in space that would render nuclear weapons "impotent and obsolete" has been trimmed down by Congress and President Bush to a more modest objective. In his state of the union address Mr Bush said that he had directed the star wars programme to devote itself to providing protection from limited ballistic missile strikes.

This is the concept known as PALS, or protection against limited strikes, which is supported by Henry F. Cooper, the strategic defence initiative director. He envisages a system that would

defend against a few dozen or a few hundred missiles.

The system focuses on providing ground-based "point defence" for key targets, as the Patriot missiles have done in Israel and Saudi Arabia, and using space-based systems to defend against strikes by a limited number of intercontinental missiles.

For star wars enthusiasts, President Bush's endorsement of PALS has the advantage of keeping the programme alive, and holding out the prospect of an eventual return to the original concept.

The success of the Patriots is not without irony, because the missile has never been part of the star wars programme. Originally developed as an anti-aircraft weapon and given more advanced software to tackle missiles travelling at five times the speed of sound, its success in the Gulf has nevertheless delighted star wars proponents. "The point is that ballistic missile defence works," Jon Kyl, a member of the House armed services committee, said.

Tuesday's test of a more advanced system has added to the optimism. An interceptor missile, known as the Exoatmospheric Re-entry Vehicle Interceptor System, or Eris (appropriately enough, the Greek goddess of strife) was launched from Meck Island in the Kwajalein atoll in the South Pacific, flew more than 100 miles into space and collided successfully with a mock warhead from a Minuteman missile.

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## Khmer Rouge mount big tank attack

Phnom Penh - Cambodian resistance guerrillas, supported by tanks, have launched attacks on government positions in the north and west of the country.

Government sources said there had been fighting in the past few days with non-communist factions of the three-party resistance alliance near Svay Chik, close to northwest Cambodia's border with Thailand, and with the Marxist Khmer Rouge in the Pailin area in the west.

Hor Nam Hong, the foreign minister, said that the Khmer Rouge had launched a large-scale offensive in the Pailin area with five tanks. The group was apparently bent on capturing Battambang province, in which the gem-mining town is located. First reports indicated that Phnom Penh's armed forces had knocked out one tank and an American-made armoured personnel carrier. (AFP)

## Occhetto fails

Rimini - Achille Occhetto, the leader of Italy's defunct Communist party, failed to win election as head of the Democratic Party of the Left, formed from its ashes. At the end of the Communist party congress, he fell eight votes short of the absolute majority needed to become secretary of the new group established on Sunday. (Reuters)

## Racist charge

Sydney - Racist treatment of Aborigines in Australia amounts to genocide, Dr Janice Love, an executive of the World Council of Churches, said yesterday. Delegates from the Seventh World Assembly of the council, which meets in Canberra this week, visited two Aboriginal settlements last week. (Reuters)

## Smuggler shot

Delhi - Doctors examining the X-ray of a man shot by his jilted fiancée found eight gold pieces he had swallowed in an attempt to smuggle them. Taranjit Singh was arrested while still in hospital. His fiancée, Sander Kaur, aged 18, who turned the gun on herself after shooting him, is seriously ill in the same hospital. She faces charges of attempted murder. (AP)



Cardin's time-warp: Pierre Cardin, the couturier who pioneered the miniskirt and space-suit styles and extra-terrestrial headresses in the 1960s, seems still locked in his personal time-war (Liz Smith writes). In his latest collection of menswear, just shown in Paris, the flying saucers or space discs of delicate organza, that originally took off to swirl around necklines and buns in his couture line for women, have landed menacingly as ridges on the shoulders of leather jackets, worn with face-covering helmets. Perhaps he might be finding some inspiration in the protective suits issued to troops against chemical warfare in the Gulf.

## Prince's ghostly laughter haunts the rulers of Laos

FROM JAMES PRINGLE IN PAKSE, LAOS

THE ghost of a prince, a cruel, earthy, fun-loving figure who liked pretty girls and right-wing politics, still seems to haunt the communist authorities in this unofficial capital of southern Laos.

Prince Boun Oum of Champassak may be dead, but he is hard to forget. His huge white unfinished palace occupies a prime site and dominates this town at the confluence of the Mekong and Se Don rivers, and his exploits are still spoken of with awe.

Local people say the palace, now called People's House, has a thousand rooms, though that may be an exaggeration. They boast that it would take one person three days to open and shut every door in it.

Now the provincial committee of the ruling Lao People's Revolutionary Party is trying to decide whether to turn the palace into an hotel for tourists or a socialist cultural centre.

Prince Boun Oum was a virulent anti-communist who fought against Pathet Lao for years, and during the 1960s served as prime minister of the revolving-door Laotian government in Vientiane, the capital.

Descended from the royal family that once ruled southern Laos as a separate kingdom, he

fled from the country in 1975 shortly before Pathet Lao took power. If he had stayed, he might have shared the fate of King Savang Vatthana of Laos, who died in a communist "re-education" camp.

Some people here say Boun Oum was a brute, that is also the view of party officials. "He was very fond of girls and when he saw a pretty one he sent his soldiers to bring her to him," Bualay Sisomvang, the Champassak province party chief, said.

But there are other versions. Some educated Laotians say the prince had his good points, though he did tend to seize peasants' plots, including the land on which he was building his palace when he fled. The prince led a guerrilla struggle against Japanese occupation during the second world war.

Ordinary folk here seem to have liked him for the huge parties he threw at traditional festivals, where he allowed himself to be the butt of jokes.

"Powerful prince, you are enormously fat, you are ugly, and you are old, and yet you ask me to speak to you of love," pretty girls sang to the corpulent potentate during the festivals, where rice wine flowed freely. "I am not blind

— how could I speak of love to such a you?" Prince Boun Oum would guffaw and sing back through an intermediary: "You are right to say that, pretty maid. It's true that I am old, I am fat, I am ugly. But I am like a tough old elephant who would leave you ivory when it dies."

Probably nobody has laughed as much in communist Laos since.

They still talk here of his departure as the communists closed in. He left for Thailand in a cavalcade of five elephants, several lorries and a phalanx of bodyguards. They were loaded down, it is said, with priceless artefacts from the ancient Khmer temple of Wat Phnu near here.

"The Pathet Lao could probably have stopped him, but for their own reasons they let him go," said a man who was here at the time.

Trying to exorcise the ghost of Prince Boun Oum, who died in Paris in 1984, aged 72, the local authorities have done some curious things. Ceiling frescos in Prince Boun Oum's private chambers, which formerly showed royal mahouts riding elephants, have been partly painted over. The mahouts have been given hard hats, and are carrying hammers.



Pavement patrol passers-by are amused by the sight of Soviet soldiers on watch in the streets of Vilnius, the capital of Lithuania. Throughout the country, troops joined police patrols in a move which officials said was meant to cut the rising crime rate.

## Moscow warns world against intervening in Baltic problem

FROM MARY DEJEVSKY IN MOSCOW

MOSCOW served warning yesterday that it would resist any attempt to "internationalise" events in the Baltic republics, and would regard any foreign intervention as interference in the Soviet Union's internal affairs.

The warning was issued by Vitali Churkin, the foreign ministry spokesman, after Friday's announcement that President Gorbachev had appointed three delegations to conduct talks with Baltic leaders on their relations with Moscow.

Meanwhile, there was confirmation from the Russian Federation that Boris Yeltsin, its president, was planning to complete an agreement between Russia and Kazakhstan, Belorussia and the Ukraine to bring together more than 80 per cent of the population of the country, as well as the bulk of its natural resources, possibly forming the nucleus of an "alternative" Soviet Union. A meeting is expected this week between working groups of the four republics to discuss the small print of the agreement.

The possibility that the leader of Russia could succeed in formalising an economic and political agreement with three of the country's most important republics has clearly alarmed President Gorbachev and the central leadership. On Friday a meeting of the Council of the Federation, the president's newly revamped executive body comprising leaders of all the Soviet Union's 15 republics, broke up without agreeing on the president's blueprint for a new Soviet Union, the new union treaty.

On the previous day, a meeting of the Communist party's central committee — in speeches published only yesterday — had heard vitriolic criticism of Mr Yeltsin's approach to relations between the republics. Yuri Prokofyev, the head of the party organisation in Moscow, was quoted as saying that Russia's conclusion of agreements with other republics was part of an attempt to form a "so-called commonwealth of sovereign states" and "remove the authority of the present central administration".

The Russian Federation has so far signed agreements, resembling international treaties, with Ukraine, Kazakhstan, Belorussia and all three Baltic republics. All recognise the right of each republic to economic and political sovereignty and assume co-operation on a mutually beneficial basis and non-interference in each other's affairs.

Three weeks ago, after the killings in Lithuania, in a step which particularly irked the Kremlin, Mr Yeltsin supported an appeal by leaders of the three Baltic republics for United Nations intervention to decide the vexed question of their indepen-

dence from the Soviet Union. The suggestion that outsiders might intervene was condemned by Soviet officials as "degrading".

Mr Yeltsin's success in drawing the leaders of other republics into his — and Russia's — orbit has cast President Gorbachev's future into sharper relief. His plans for a nationwide referendum to support the ill-starred union treaty, to be held on March 17, are already running into trouble. Two of the Baltic republics — Lithuania and Estonia — have announced their own referendums to be held before the all-union one, and the Russian Federation's parliament has proposed adding two questions to the referendum on its territory which would enhance the authority of Mr Yeltsin. President Gorbachev thus faces the real prospect that Mr Yeltsin, through a series of almost unnoticed negotiations

and agreements, will succeed, where he has so far signally failed, in keeping much of the Soviet Union voluntarily together.

In a related development, a Pravda dispatch from London yesterday commented favourably on recent remarks by the British prime minister, which it interpreted as softening Britain's position towards Moscow following the violence in the Baltic republics. The report, headed "We will wait before drawing conclusions", said that John Major's statements had "stemmed the wave of official criticism". However, the Pravda correspondent could not make up his mind whether this was "a result of a conscious change of emphasis in the British position or evidence of hesitation about how to proceed".

Western dilemma, page 10

## Kremlin to control exodus of workers

FROM ROBERT SEELY IN MOSCOW

THE Soviet government is to set up a state migration agency to deal with the expected mass exodus of workers to the West.

Although Moscow believes the number of potential emigrants to be far lower than the 40 million some have predicted, Vladimir Shcherbakov, the head of the Soviet State Committee on Labour and Social Matters, said yesterday that those wishing to leave the country would be allowed to do so only through official channels.

Mr Shcherbakov said that the new agency's role would be to ensure that prospective emigrants out of the Soviet Union's 140 million workers had jobs guaranteed in the West, and to help to find foreign training for well educated Soviet citizens in specific fields, such as law.

"We must give thought to developing our employment infrastructure. We plan to ask foreign countries for help on initial advice and on on-the-job training," he said.

He added that the labour committee predicted up to five million people could take advantage of freedom to emigrate. "This is the approximate number of people who are considering leaving. When the question arises if a person genuinely intends to go to work abroad, the answer becomes more difficult and I think that only two million people can be seen as seriously seeking employment in the West."

If the travel bill, which has been delayed for more than six months, becomes law during the next sitting of the Supreme Soviet, it

should, in theory, take only one month before a Soviet citizen will be free to emigrate.

However, Mr Shcherbakov said that more basic problems still had to be solved, such as the chronic inefficiency of the Soviet Union's emigration service, Uvtr. He said: "Uvtr can handle only two million passport forms a year and Shcherbakov in Moscow is probably the worst airport I've ever seen."

He admitted that the possible exodus could become a brain drain, undermining the country's economic future. "People are the best capital in any country and we understand you cannot keep them by force. We want to create conditions whereby people do not wish to leave the country, not by not letting them go, but by giving them decent living conditions. We are prepared to use normal processes that exist in the civilised countries," he said.

BONN: A growing trickle of deserters from the Soviet army in eastern Germany is seeking asylum in the West, according to figures released yesterday by the interior ministry. These show that 110 Soviet soldiers have applied for asylum, 60 of them last month, compared with fewer than 50 in the three months after unification in October (Ian Murray writes).

The 600,000 troops and their families are all meant to have left Germany by 1994 and the Soviet authorities have promised that at least 150,000 of them will be out by the end of this year. However, the authorities here are worried that the growing difficulties in the Soviet Union will persuade thousands of the troops to seek asylum.

## Croatians challenge role of the army

By OUR FOREIGN STAFF

CROATIA stepped up its war of words against Serbia yesterday, saying that it would not take part in further federal discussions until politics were removed from the Yugoslav army.

A telegram is being sent today to the Yugoslav presidency by the Croatian leadership denouncing Borisav Jovic, the Yugoslav president. It accuses him of "being the tool of those who wish to impose a greater Serbia on Croatia".

Mr Jovic has repeatedly acted without the authority of the Yugoslav presidency, two of whose members, Croatia and Slovenia, are weary of Belgrade's attempts to bully the democratic northern republics. As a Serb, Mr Jovic is hostile towards the Croats.

Mr Jovic has accused the Croats of breaking an agreement by not demobilising reservists whom the Yugoslav army accuses of plotting terror attacks against Serbian families. The Croatian leadership has responded by saying that the army continues to threaten Croatian interests.

Croats in Zagreb remain deeply suspicious of the Yugoslav army's intentions. In a small garage in a suburb, an arms shop has been set up where scores of civilians are buying weapons daily. These range from relatively modern sub-machineguns and revolvers to what appear to be outdated rifles, including Lee Enfield 303s.

The owner of the shop, who refused to give his name, said that the weapons had been purchased from "a number of sources". He said it was necessary for Croats to be prepared because of the threatening stance of the Yugoslav army. "Even old ladies should have weapons these days," he remarked.

In Belgrade, the recently resurrected League of Communists, containing several senior army officers who are dedicated to reviving communism, reiterated its determination to be "the leading political force in Yugoslavia by May".

In May, under the rotating presidential system bequeathed by Tito, Mr Jovic will step down and make way for Stipe Mesic, the Croatian representative on the federal presidency.

As the president is also in theory commander-in-chief of the federal army, it is becoming increasingly clear that the Yugoslav military's political ambitions will have to be realised while Mr Jovic is president. Mr Mesic has repeatedly said that he would boycott presidential meetings to determine Yugoslavia's future unless the army was firmly excluded from political decision-making. This, however, Mr Jovic refuses to do.

## Drugs testing 'used to bolster hard currency'

FROM ASSOCIATED PRESS IN HAMBURG

FORMER East Germany made millions in hard currency through human testing of new drugs for Western and other foreign pharmaceutical companies, a leading news magazine reported yesterday.

The Hamburg-based magazine Der Spiegel said lax East German laws allowed doctors conducting the tests of new drugs to proceed only with patients' oral approval, when at all.

Western German law requires that patients on which new medicines are tested sign a written statement of understanding.

A spokesman for the German pharmaceutical industry, commenting on the report in a ZDF television interview yesterday, said all patients were "thoroughly informed" about possible side-effects.



Prince Boun Oum: dead but impossible to forget







As the coalition powers bombard Iraq to soften it up for a ground assault, Soviet black-beret specialists in violence are softening up the Baltic republics before moving in to destroy their nascent democracies. It would be convenient if these two conflicts could be viewed separately, but unfortunately they cannot.

The war in the Gulf was undertaken with near-unanimity by the United Nations as the first act of the "new world order" arising from the ruins of the cold war. Soviet support ensured that western forces could be deployed and if necessary used in the Middle East without provoking the kind of superpower confrontation that might trigger a nuclear holocaust. The *détente* in Europe meant that units in Germany and Britain could be moved to the Gulf without concern for western security, and the Soviet propaganda machine did not mount an anti-western campaign in the Third World. Without this Soviet acquiescence President Bush would probably not have moved with such assurance from confront-

Michael Howard considers how to persuade the Soviet Union to liberate the Baltic states

## Freedom without provocation

tion to sanctions and from sanctions to war.

But already last summer the new *détente* was under strain. The peoples of the Baltic republics began to demand that the Soviet Union, having peacefully abandoned its hegemony in Eastern Europe, should accord them independence as well. To the West this seemed a natural extension of freedom to nations which had already once enjoyed an independent existence. In Moscow, where those two decades of independence appeared a temporary anomaly after centuries of Russian rule, it presaged disintegration of the union. Perestroika must have some limits. Gorbachev tried to reason with the Baltic leaders, and then, reason having apparently failed, used force.

Western reactions were mixed. Conservatives in this country and

America thought Gorbachev, whom they had always mistrusted, was showing his true colours. No matter that he had peacefully withdrawn from Eastern Europe, acquiesced in German unification, initiated arms reductions and opened up the destiny of his country to public debate. Here he was at it again, suppressing peoples struggling to be free.

Others were less sure. To them, Gorbachev was a tragic figure, not an evil one; one who, with the best possible intentions, had set in train processes he was unable to control. Given his predicament, could we have expected him to have behaved differently? And is there anyone in sight who might be expected to do any better?

There is nothing new about this western dilemma. For nearly two hundred years western liberals

have supported the strivings of the peoples of eastern Europe to free themselves from alien domination. Gladstone's Midlothian philippics in support of the Bulgarians in 1876 still thunder down the years. But western governments, those coldest of Nietzschean cold monsters, have always had their doubts.

Was it wise to weaken the Ottoman Empire and so bring Russian power to the Dardanelles? Was it wise to antagonise the Russians when we needed their strength against the menacing power of Germany? Was it wise to break up the Habsburg Monarchy and create a congeries of weak successor states at the mercy of their powerful neighbours? Was it, above all, wise to run the risk of nuclear war? We have, alas, been here before all too often.

Where do the interests of the

cold monsters lie now? The best scenario, clearly, is a Soviet Union maintaining amicable relations with the West, pressing on with arms reductions, continuing to co-operate in the Gulf, gradually solving its economic difficulties and evolving into a commonwealth of self-governing communities at peace with each other and with the outside world.

The worst is a return, not necessarily to Marxist-Leninist totalitarianism, but to a xenophobic, anti-Semitic, anti-western, authoritarian regime, suppressing such liberties as have been won over the past five years, abandoning its agreements in Europe and renewing its support for Saddam Hussein. The first possibility seems remote, the second, unfortunately, less so.

It is not enough therefore to say *fiat justitia ruat cælum*; that the

Baltic republics must be supported in their fight for immediate independence regardless of cost. The problem is how, by using economic pressures, to provide maximum support without provoking a backlash that would end their hopes of independence for a decade or more and destroy the basis of East-West agreement that has so far kept the Gulf conflict reasonably localised.

This involves being cold and monstrous about Gorbachev himself. Has he come to the end of his usefulness? If so, who would be more useful? If not, how can we strengthen his hand for the things he ought to do and restrain him from those he ought not to do?

Clearly he must be made to realise that the Baltic republics can be suppressed only at the cost of destroying friendly relations with the West, and here the growth of

economic linkage with the Soviet Union has given us a powerful bargaining counter. But then the historic dilemma reappears. What are the costs to us of destroying the new relationship with Moscow? Does it matter if the consensus at the United Nations disintegrates and the war in the Gulf relapses into an Anglo-American punitive expedition for the protection of our oil interests? Does it matter if the rusting but still effective Soviet propaganda machine again starts to stir up trouble throughout the Third World? Does it matter if the demobilisation of Nato has to be thrown into reverse?

The answer is, yes it does matter, but so do the rights of the Baltic peoples. Most of us would probably and properly give these priority. But they will not come free, and it is important to keep the costs down. It will continue to be the unpopular but necessary task of the Foreign Office not to pursue absolutes, but to tease out of a complex and tragic situation the solution, however imperfect, that best suits the interests of Britain and its allies in the war.

Sir Michael Howard is professor of modern history at Yale University.

David Miller

## Games on an uneven field

The Olympic Games in Barcelona next year are expected to bring commercial benefit to the city, in tourism and development, to the tune of £500 million. The games budget of £650 million has cost the taxpayer nothing and will provide permanent sports facilities for the population. The boost to Catalan morale is inestimable.

In 1988, the Seoul Olympic Games made a profit of £250 million, and transformed South Korean political and trade relations, particularly with communist countries. In 1984, the Los Angeles games made a similar profit. It is no surprise that cities have scrambled for the opportunity to enter the bidding: seven for 1992 (won by Barcelona), six for 1996 (awarded last year to Atlanta). The candidates for 2000 may include Peking, Sydney, Berlin, Milan, Rio and Istanbul. And perhaps London or Manchester.

There is, strangely, a divide within British sport over whether Britain should continue bidding, in the wake of the earlier failures by Birmingham and Manchester. Two rival London bids were last night locked in debate, attempting to find a formula for amalgamation in order to rival Manchester when the British Olympic Association makes a choice in April.

The American and British governments are alone in the world in considering that they should provide no financial subsidy for the stadiums, swimming pools and roads that improve the staging of important international sports events. In America, what seems to be short-sightedness in the light of all the tangential benefits is offset by the tax concessions for corporate sponsorship of sport. Yet in Britain, sport — even the fund raised for an Olympic team — is still taxed.

Last autumn, on the morning before Atlanta was chosen as host for the 1996 Games, each of the 87 members of the International Olympic Committee (IOC) present in Tokyo received a personally signed letter from President Bush. Mrs Thatcher sent Chris Patten, who was astonished by the power game he witnessed and could contribute little of significance to Manchester's presentation.

Although Manchester was eliminated in the second ballot, the confidence within its campaign committee is such that they unhesitatingly sought the British nomination to run again for 2000. The vote is to be taken in 1993. The Manchester bid was seen by the IOC last time as highly credible, but failed to sustain its 11 first-round votes because most European members considered their support should go to Athens, original hosts in 1896.

There are those who argue that Britain is wasting time and money on a contest in which other candidates have vast government backing; that the IOC electorate has questionable scruples; and that the only bid with a chance would be London. These arguments are unsound.

Money spent on the election campaign is new money that would not otherwise be available for sport, for it is provided by the private sector. It also brings valuable publicity, win or lose, to the city. Manchester International Airport yesterday donated £250,000 to the new campaign, calculating that the previous bid radically improved the overseas perception of Manchester. (Birmingham experienced a similar commercial boost after its bid.) National sports federations think the campaign beneficial for regional development of sport.

Kate Hoey, Labour MP for Vauxhall in London, should not have said in a radio interview yesterday that Britain's bid must be "London or nothing". As a potential Labour sports minister she may in future be supporting a Manchester nomination. Signs of disunity may undermine any presentation to the IOC.

There is no doubt that the capital would be at an advantage in the voting over any provincial British city. But London hosted the 1908 and 1948 games, and it is perhaps unlikely that the IOC would choose the capital a third time — and whether such a congested city could accommodate a new Olympic village within a radius acceptable to the IOC. Sebastian Coe, who is leading the London 2000 bid, believes it is possible. The British Olympic Association has to decide.

up at their offices to find that the Official Receiver has changed all the locks. With time suddenly on their hands and nowhere to turn for the wherewithal to keep the wolf from the door, a quick £603 million can begin to look quite tasty. Even £2,340,776 is better than a poke in the eye with a sharp ledger.

Of course, they will have to invent something first. As the ad tells us, the £603 million was what the inventor made on the Polaroid camera, the £49 million rewarded the genius behind the ring-pull can, and the £2,340,776 went to the chap who invented the cat's eye, presumably so that he could find his way to his bank in the dark. But the ad has another inventor for us, too: Edwin Armstrong, who came up with the FM radio. It made him £80,000, because he did not patent it. The purpose of the ad is thus to steer us away from the haplessness of poor Edwin, and towards 66 High Holborn and everyone's mutual benefit.

God bless you, Roland White. While I should not dream of speculating on whether your forbears decided to snub up White with an a or a Wait with an h, I can tell you that, in my own case, invention is my middle name. You wouldn't believe the stuff I have come up with over the years, yet, until your offer, have never thought of turning it to fat profit.

Take the tap-cork. Since the dawn of plumbing, man has been plagued by the dripping faucet — except in our house. Here, a cunningly-crafted wedge

Saddam Hussein said it first: the Saudi Arabians should be ashamed. Not only are they letting the American infidel fight their battles, but the infidel has brought his wife. The idea of weak women defending a great, masculine-orientated nation has Saddam apoplectic with disgust; and it still shocks sections of the more accustomed British and American public.

The fears for women soldiers in the Gulf were brought home last week when one female marine and her male colleague disappeared while driving a jeep near the Saudi border with Kuwait and Iraq. The Israeli also claimed, without allied confirmation, that some women marines were captured during the battle for the town of Khafji.

The numbers do not matter. One woman prisoner of war is enough to test the public's stomach, particularly if she is eventually paraded on television in an Iraqi propaganda show. And if one woman — or worse, one mother — comes home in a body bag, many will declare that women should not be warriors.

This body of opinion is already up and running; in leader columns, in speeches and on the streets. There are worries that women prisoners of war may be raped; that when things get tough they will not have the strength or stamina; that they do not have a killer instinct. Would we send out an army of undersized, weak men to fight strapping giants? No. Why then are women being employed as soldiers? Surely they reduce battle efficiency?

Then there is the second line of attack. How can those soldier mothers leave tiny babies crying in someone else's arms? What about their poor husbands? Will it not all end in divorce? It goes against the natural order of things.

Such arguments have an instinctive emotional appeal, but they are only plausible because the army in people's minds is that of the second world war, and the image of women helping is that of a munitions worker on the home front. The first two weeks of the Gulf conflict have made it clear that trench-and-gut warfare makes up only a small part of the fighting in the modern, automated battlefield.

The fact is that western armies need women. They form 11 per cent of the United States army and their presence is a matter not of

choice, but of necessity. After the draft ended in America, the quality of male volunteers fell, and although direct-entry officers remain of a high standard, the low pay and high demands of army life, compared with civilian work, mean that enlisted men come largely from the less-educated, poorer parts of the community. The quality of female recruits remains high, however. A United States army survey showed that 37 per cent more enlisted women had high school diplomas, they were generally more mature, and scored 22 per cent more on average than men in standardised military tests. The falling number of school-leavers means the military, like civilian businesses, must look

more to women. Unexpectedly, women are no worse a training investment than men, for although the initial dropout rate in the United States army is slightly higher, the losses of women soldiers through pregnancy are comparable with the losses of men due to alcohol or drug misuse, or to misconduct. Armies who want quality soldiers at a reasonable cost in the future have the choice of bringing back the draft or bringing in more women.

The military can no longer be quite so choosy. The days of height restrictions are ending — the Royal Navy now only requires male recruits to be a minimum of 5ft, and on parade days the line wavers up and down. Some Asian

men entering are little taller than women, yet their capabilities are not questioned.

Admittedly, a man is on average 30 per cent stronger than a woman of the same height, particularly in the upper body. In terms of stamina, differences are marginal, marathon runners being a good example. Obviously, there are certain jobs, such as loading heavy ammunition and carrying weights over long distances, that women will never do as well as men. They will always be at a disadvantage in hand-to-hand combat with an all-male army. But such tasks make up less than 20 per cent of army work, and women who are too small can be useful outside infantry or tank regiments.

## Not Lord's; try Stamford Bridge

John Major, Britain's best known cricket fan, will not be sitting in the member's pavilion at Lord's this summer to see if England can salvage some cricketing pride against the West Indies. He will have to wait almost 20 more years before the MCC, the game's most prestigious club and owner of Lord's, will admit him to membership.

The prime minister, who sent a personal message to the England team in Australia telling them that a Test win would do wonders for the morale of troops in the Gulf, has been on the waiting-list since 1989, but Lieutenant-Colonel John Stephenson, the club's secretary, says he will have to queue until some time around 2009. This news will be a blow to a man so keen on cricket that his friends joke that he wanted the Downing Street job only to gain admission to the Lord's Long Room.

Membership of the club is restricted to 20,000 because of the limited capacity in the pavilion,



and as the overwhelming majority remain members for life, new generations have to wait for older fans to die. As members are living longer, the waiting list has now grown to about 20 years. Queue



jumping is restricted to applicants whose cricketing talents can improve the quality of the various MCC club and ground sides, a route closed to Major, whose promising cricket career was shattered, along with his leg, in an accident. "We do have provision for electing applicants out of turn in the interests of the club, but becoming prime minister does not make membership automatic," says Stephenson.

But *Punch* magazine has found at least one organisation sporting enough to accept the prime minister at once. "John Major would be welcome," says the Chelsea Supporters Club. "Anyone can join. Just send us £30 plus four photos and we'll send a membership card."

## Minimal Maxs

The Gulf war has taken its toll on the Tate Gallery's exhibition to mark the centenary of Max Ernst, which opens next week. Half of the anticipated 200 paintings from collections all over the world failed to make the Tate's January 25 delivery deadline. At this late stage, although late arrivals have filled many of the gaps, the gallery's head of exhibitions, Ruth Rattenbury, is braced for up to a dozen gaps in the show.

Some delays have been caused because American owners of works by the German-born surrealist were unable to find space

on cargo flights due to the number of planes requisitioned by the Pentagon. Art owners in Italy, Germany and Switzerland have withdrawn promised works because of security fears. Two paintings due from Israel will not be travelling because the Office of Arts and Libraries has declined to extend war risk indemnity. The Tate sought outside cover but found premiums prohibitive.

"The situation would have appealed to Ernst," says Rattenbury. "It's positively surreal."

● The revelation last week about the Spanish airline that serves French wine bottled in Manchester has touched a raw nerve at the Spanish embassy in London. "Iberia Airlines purchased an independent carrier and with it acquired a warehouse full of this wine," writes the commercial section. "They assure us they are trying to get rid of it as quickly as possible." Cheers.

## Vision of abroad

A suggestion that the Prince of Wales and other members of the royal family are behaving unpatriotically by snubbing British publishers has drawn a swift rebuke from Giles Gordon, literary agent to the royals.

"Virtually the entire oeuvre of recent royal outpourings is being published by non-British publishers," says *The Bookseller* — and, it must be admitted, the evidence is considerable. A collection of watercolours by the Prince of Wales will appear later this year from the American firm of Little, Brown; the Duchess of York's *Budgie* books are published by the American Simon & Schuster, and Doubleday, which published the prince's architectural manifesto *A Vision of Britain*, is owned by Bertelsmann of Germany.

But says Gordon, the fault lies with the failure of British publishers to come up with creative ideas. "The answer is simple," he says,

"Little, Brown is anxious to establish itself in Britain and wrote from Boston suggesting an idea that the Prince of Wales liked. It was the same with Doubleday. There is no question of the Royal family being unpatriotic."

Gordon is adamant that British companies would receive a similarly favourable response from the royals if they came up with ideas for books which would raise large sums of money for charity. "But there is another important factor," he concedes. "It has to be said that the American companies are able to offer more money."

## Ho Ho, no joke

After all the streets and tower blocks named by London Labour councils after Nelson Mandela, Marcus Garvey and their ilk, what price a Ho Chi Minh monument? The proposal, however, comes not from the loony left, but from Lady Porter's true-blue Westminster council. His name appears on a long list of famous one-time London residents proposed for commemorative plaques to foster tourism.

The late North Vietnamese communist leader once worked at the long-demolished Carlton Hotel, now the site of New Zealand House, and a demonstrator's stone's throw away from Trafalgar Square, where the 1960s reverberated to the "Ho Ho Ho Chi Minh" chants of anti-war protesters. Nobody by the way, appears to have asked the New Zealanders what they think of having a memorial to Ho on their walls.

Equally controversial is the suggestion for a plaque to Oswald Mosley in Dolphin Square. The proposals go before a council committee for approval next month and a row looks unavoidable. Lady Porter reacted quickly when told of them. "Both should be rejected, on the grounds that no fascists of the right or left should be honoured in this scheme."





# LETTERS TO THE EDITOR

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## BOMBING IRAQ

Since the start of the allied offensive in the Gulf, the brevity and efficiency of the land war has been said to depend on the length and intensity of the air war. The military success of the air war depends on the precision of bombing. Its political success depends on that precision being widely appreciated. Public opinion, both in the Arab states and among the allied democracies, will not tolerate heavy casualties among Iraq's civilians. The tension between military and political objectives lies at the heart of any war, and especially one that is geographically limited in action but widespread in its implications.

Allied military commanders are adhering to a simple requirement. They are unwilling to order their ground troops into Kuwait against a much bigger army until they have destroyed as much as possible of Iraq's military capability. They also hope that such destruction might even precipitate a surrender or comp. Targets cannot be confined to ammunition and fuel dumps, defences, armour and troop concentrations inside Kuwait. General Colin Powell's "cut off and kill" strategy depends on severing supply lines from Iraq and attacking not only military but certain economic targets, such as refineries, stores, roads and bridges in Iraq.

This is being achieved with a weight of ordnance unprecedented since 1945. So much is clear. Equally clear is that every house or clinic or school suffering "collateral damage due to weapon malfunction" is not just a tactical defeat but a human tragedy. In this most political of wars, the destruction of Iraq's war machine cannot even appear to be turning into a total war against Iraq. President Saddam Hussein will extract all the propaganda he can from civilian damage and has invited foreign journalists, including this newspaper's correspondent, back to Iraq with that purpose. The allies' best defence is to fight a demonstrably clean war.

Air supremacy — which means that air forces can pick targets at will — has an unfortunately complacent ring. Command of the air lays on the allies a special duty to delineate targets precisely, weigh the military value of each sortie against the risk to civilians as well as aircraft, and explain the

outcome as clearly as security permits. Commanders are clearly justified in attacking the main supply routes from Iraq to Kuwait by the need to shorten the land war. The case for attacking the Republican Guard headquarters in Basra is equally clear. The B52 raids from British soil are against strictly military targets. But what of the road between Jordan and Baghdad, densely used by Jordanian truck drivers and refugees? If the aim is to kill anything resembling a Scud, then the political damage of innocent deaths must be set against the (small) chance of a Scud transport using that road.

Iraq has provided no estimate of civilian casualties; censors news reports and controls the movement of foreign journalists. Saddam has also made the bombers' task difficult by using military installations in his cities. But reports from Iraq are becoming progressively harder to dismiss as mere propaganda or the relics of the Iran-Iraq war. Any temptation to widen target areas must be resisted. The second world war began with RAF bombers returning loaded if they failed to find their targets. It ended with the horrific "strategic" carpet bombing of civilians. Some civilian destruction round economic targets is unavoidable, with the hope that human casualties can be minimised by air-raid precautions. Modern targeting has also vastly improved the precision of bombs, while the defences of modern aircraft against missiles and anti-aircraft fire have helped pilots to concentrate on accuracy. But for spokesmen to describe civilian deaths as "collateral damage" is crass and politically inept. Some briefings almost sound like reports of weapons tests.

The accuracy of allied bombing remains the best guarantee of a short and merciful war. It is also the guarantee of a politically astute one. Saddam may fight dirty; the Scuds rained on cities could be followed by chemical warfare. He may be widely detested by many Arabs. But they still regard every Iraqi civilian as kin. Every Iraqi civilian killed is a bloodstained feather in Saddam's cap, for him to wave at his supporters throughout the Middle East. The war must be fought with the most meticulous regard for human life.

proposals would cost their members money. Others said that if employers had to bear part of the cost, they would simply ignore their statutory obligation to pay sick pay at all. Their complaints increased when just three weeks were allowed between the publication of the proposals and the bill clearing the Commons before Christmas. This haste stirred their lordships to call a halt. Had the changes been introduced in a more orderly fashion, they would have incurred less odium. The arguments in their favour are powerful. Statutory sick pay is fast becoming an anachronism. Nine out of ten employees are now covered by company schemes, most of them more generous than the state's. This is to be encouraged. And for the state to bear the whole cost of sickness creates the wrong incentives.

Sickness is not an objective state from which, once certified by a doctor, the employee can be assumed to be suffering. Within bounds, workers can choose whether they are well enough to work. The employer can do much to discourage sick leave, both by checking up on the bona fides of absentees and by making work a more attractive place to be. With 30 times more days lost through sickness than through strikes, sickness management is vital to industrial efficiency. Managers should pay at least part of the cost from their pockets.

Ministers may today offer concessions to small firms, who can be hard hit by protracted and unexpected illness. Assuming they do so, the Commons should reverse the Lords' amendments, and the Lords should give in with good grace.

Modern art, so called, has long been something of a joke with the public. So the news that the Royal College of Art has at last decided to teach its students to "draw" will be the subject of ribald humour. But anger and pity would be in order as well as laughter: anger at the arrogance of the elite of teachers and critics towards the traditional skills of fine art, pity for the students who were so badly taught as a result.

A generation has graduated from Britain's leading art schools convinced by fashion that they were artists. Many have made a living out of it by suckering wealthy picture-buyers into acquiring pictures few now believe will keep their value. It became a matter of pride among fine art students from the 1960s onwards to despise the primary skill of drawing, traditionally taught by "life classes" of natural and human forms.

At last the students have demanded to be taught how to draw, two decades after David Hockney harangued the college for omitting to do so. So far the classes have attracted more interest from students on the vocational courses than those who are training to be "pure" artists. But even among the latter, the Modernist contempt for representational art is giving way to eclecticism, borrowing from diverse skills, styles and periods.

To some, all abstract and conceptual art is mere rubbish: without technique it is nothing but crude expression. Others, as Tom Wolfe has described, were intimidated to think that their total bafflement in the presence of such works was a measure of their own intellectual and aesthetic poverty. If a picture or sculpture changed hands for four or five figures then there must be something in it — even if it appeared to

matter not at all which way up it was hung. As W. S. Gilbert said, this was evidence of its artistic "depthness".

The doctrine of Modernism held that a work of art should not refer outside itself for its meaning. It denoted nothing in the natural world and merely produced certain feelings in the mind of its creator. To draw "from life" was thus anathema as it involved external reference. Behind this aesthetic nihilism lay a philosophical rejection not just of history and geography but of the natural world itself.

No other aspect of the postwar epoch — some would say of the prewar European epoch as well — has proved so depressing or so difficult to escape. The Modernist spirit has corrupted music, architecture and poetry as well as art and sculpture.

If life could be dismissed as meaningless and the obligations and commitments of social behaviour denied, there was no point in copying any of it onto canvas. Brutalist architecture, expressionist poetry, and "concrete" music were all harnessed to express an orderless and chaotic world and absolute the artist from any part in it. Sketch pad and pencil went the same way as harmony and melody, mere instruments of bourgeois entertainment. Only spontaneous imagination, free from all formal restraint (except that of getting a government subsidy), was worthy of the creative artist.

From this barrenness, the 1990s are already offering deliverance. Architects are once again designing classical orders. Post-Modern composers are rediscovering tunes. And the RCA is to breathe life once again into the sublime skill of drawing. Modernism is at last old-fashioned.

## Civilians trapped in the conflict

From the Archbishop of York

Sir, Like the House of Bishops of the Church of England, I believe that we had no choice but to take arms against Saddam Hussein. I have no doubt that his defiance is essential if there is to be a hope of peace in the Middle East, and ultimately if a greater and infinitely more devastating conflict is to be avoided. I recognise that even laser-guided bombs will sometimes go astray and sadly cause civilian casualties, however much our forces do their utmost to avoid this.

But I am sure many Christians (and others) will share my grave concern at the TV pictures of wounded children and distraught parents in Baghdad. We are not at war with the Iraqi people and it has been notable in the days since the war erupted that no one expresses any hostility towards them. If cruise and other missiles are so easily shot down that they are likely to fall on homes, schools and other civilian areas, then their use must be discontinued and another way found.

With the sophisticated weaponry of 1991, a Dresden — even on a minor scale — is not an option and will not be exercised.

Yours faithfully,  
GEORGE AUSTIN,  
7 Lang Road,  
Bishopthorpe, York,  
February 2.

From Squadron Leader J. P. E. Peters (ret)

Sir, My dream is that some generous airline will give me 1,000 free tickets to Kuwait. City so that I can go among the "peace marchers" and invite them to travel to Kuwait so they can explain to the citizens of that country why it is wrong for the allied coalition to fight to free their country.

I might add that my wife, a native of these islands, knows only too well what it is like to have one's homeland occupied by the enemy. She also lacks sympathy for these supporters of evil.

Yours faithfully,  
JOHN PETERS,  
Le Petit Mont Val,  
Rue du Bordage,  
St Pierre-du-Bois,  
Guersey, CI,  
February 3.

## Gulf aspects

From Captain Sally E. Heath, Queen Alexandra's Royal Army Nursing Corps

Sir, As there appears to be some interest in married couples working together out here in the Gulf, I thought you might like to know about my family with 33 General Hospital in eastern Saudi Arabia.

I was a reservist who volunteered to be with my husband. My husband, his brother and my sister-in-law are all here. Does four people from one family serving together become a record? Thankfully life is very quiet at the moment.

Yours faithfully,  
SALLY E. HEATH,  
33 General Hospital, BFPO 637,  
January 28.

From Mr Joshua Rowe

Sir, A fair way to deal with any widespread destruction of the Kuwait oil fields would be for the allies, when they have ejected Iraq from

## Cut and thrust on the media front

From Mr H. J. Baker

Sir, In time of peace it is a proper and essential role of the information media sensibly to question, challenge and treat with due scepticism the pronouncements and actions of a democratically-elected government.

The successful prosecution by a democracy of a major war requires total commitment of the population as a whole. This entails the manipulation of news and information in order to support the morale of our side and to confuse the enemy.

It is no part of the duty of the information media to frustrate this process by harrying ministers and their armed forces subordinates in order to attempt to establish (probably vainly) what they believe to be the impartial truth. In doing so journalists set themselves above the interest of their compatriots and risk giving help and comfort to the enemy.

This simple view has its obvious dangers; but war is a dangerous business. In a democracy the elected government should account to the electorate for its actions after hostilities have ended not to the detriment of the nation's aims, as the war is in progress.

Yours faithfully,  
H. J. BAKER,  
8 Grovelands, Lower Bourne,  
Farnham, Surrey,  
February 2.

From Mr J. E. Martin

Sir, Nobody who heard Peter Snow's interview on BBC's *Newsnight* of Colonel Gaddafi on January 25 can be in any doubt as to the damage to the allied cause in the Gulf which is being wreaked by the anti-war processions and demonstrations.

Gaddafi cited these as evidence that America and Britain were no longer democracies, and that the war is being waged by their governments in direct opposition to the wishes of their people.

This, I believe, a widely held Arab view, and must give great comfort to Saddam Hussein, and great encouragement to him to persevere in the conflict. It is, I fear, too much to hope that our peace campaigners will forgo their cherished marches, chants and banners, but I only wish they would understand that by continuing them they

are actively helping to prolong this unhappy war.

They will bear a heavy responsibility for the death and maiming of we know not how many young men on both sides of the conflict, and for the lasting grief and desolation of their unhappy families.

Yours very truly,  
J. E. MARTIN,  
49 Redemere Drive,  
Alderley Edge, Cheshire.

From Mr Denis Young

Sir, Whenever a TV interview of someone in the Gulf who is not near the top of the command structure is conducted from a news studio in London and sent out live, we can I think exclude the possibility of it being disinformation. If Gulf HQ says or implies one thing and one of these interviews indicates the opposite, it is clear to us, and to Saddam Hussein, which of them is likely to be deliberate military deception. Such live interviews should surely come under better control.

Eleven days ago I wrote to the authorities and one passage from the letter went as follows: "David Dinsley asked an allied colonel, whose precise location within a few miles of the Kuwait border was given, 'What is the disposition of your troops?' The colonel did not give away anything, but as the interview was going out live, what he might have said could not have been blocked out. A little earlier we were told that his troops were not anywhere near him."

Whatever lip-service the broadcasters may pay to security, the fact is that the colonel's named location was Khatif.

Yours faithfully,  
DENIS YOUNG,  
The Old Manor, Glenlyon,  
Aberfeldy, Perthshire,  
February 1.

From Miss Anne Scott-James

Sir, We are told that Saddam Hussein lacks sophisticated means of reconnaissance. With all the useful information being provided for him by our TV, radio and press, not to mention senior allied commanders and other servicemen, he scarcely needs them.

Yours faithfully,  
ANNE SCOTT-JAMES,  
78 Cheyne Court,  
Royal Hospital Road, SW3,  
February 1.

convinced them of the necessity of pacifism.

It may be added that present-day soldiers who have come to the same conclusion are approaching us, as well as reservists liable for call-up.

Yours sincerely,  
WILLIAM HETHERINGTON,  
Peace Pledge Union,  
Dick Sheppard House,  
6 Endsleigh Street, WC1.

From Mr Philip Keeler

Sir, Let us, please, not use the term "body bags" when referring to the repatriation of members of the allied forces killed in action.

However unintentional, it implies lack of respect for the remains of those who have made the supreme sacrifice, and must be distressing to those who mourn them.

Yours faithfully,  
PHILIP KEELER,  
47 Yew Tree Bottom Road,  
Epsom Downs, Surrey,  
January 31.

was pointed out that this was before Ms Short was an MP. She has stated that she did not know of these convictions and we never alleged that she did. During the period that this man lived in her house he used three different names. Later he was shot dead — in a gangland feud believed to be linked to a previous murder a year earlier.

These facts about an MP and former Labour front bench spokeswoman, who has made a public stance on many occasions concerning the police, I believe are proper matters for investigation by a free press.

One matter we had wrong was that Ms Short's husband, Alex Lyon, had cancer, when in fact he has incurable spinal atrophy. For this I apologise and extend my sympathies. We have made it clear that we will give all co-operation to the investigation by the Press Complaints Commission and expect to abide by its adjudication.

Yours faithfully,  
PATRICIA CHAPMAN,  
Editor, *News of the World*,  
Virginia Street, E1,  
February 1.

from the Government and people in Adur deserve only £76.

For that matter, it is fair that Westminster residents receive nearly £1,000 government grant per head? This system is so fundamentally flawed that county council talk of standard spending assessments and overspending is meaningless. It may be that Michael Heseltine's financial review will ask serious questions about the future of the two-tier structure and the elimination of this nonsense.

It would have been more constructive had councillors Sheridan and Elliott addressed this wider issue so as to assist in the national debate, which would have been of more positive benefit to the community which my council is committed to continue to serve.

Yours faithfully,  
MARTIN KING,  
(Leader, Adur District Council),  
Civic Centre, Ham Road,  
Shoreham-by-Sea, West Sussex,  
February 4.

## Legal curbs on right to know

From Mr J. Stanley Heath

Sir, "Judgments without the facts" was the headline under which you introduced the essay written by Mr Christopher Whitty, a medical student, in answer to the question "Should the law ever restrict the right to know?" (Law, January 29). May I point out that no court can reach a correct judgment without knowing all the relevant facts; and it is for precisely that reason that the law should not restrict the right to know them.

Lord Donaldson (as he now is) said in *Davies v. Eli Lilly & Co.* Let me emphasise that the plaintiffs' right to discovery of all relevant documents, failing all just exceptions, is not in issue. The right (my italics) is peculiar to the common law jurisdictions. In plain language, litigation in this country is conducted "cards face-up on the table". It is designed to do real justice between opposing parties and, if the court does not have all (the judge's italics) the relevant information, it cannot achieve this object.

That was the Open case. One has only to go back to the *Distillers* case, or the one in which an attempt was made to cover up the fact that a soldier in the Falklands had been killed by fire from one of our own naval vessels, or the attempt in a medical negligence case not to disclose the theatre records, to see how vital to the outcome is a full knowledge of the facts.

No, Sir, the right to know is not a fiction — and it is confined neither to people who have a profound interest in getting information more easily, nor to the paranoid. I suggest, with respect, that Mr Whitty should stick to his own last.

Yours faithfully,  
STANLEY HEATH,  
Stanley Heath & Co. (solicitors),  
58a Church Street,  
Stoke-on-Trent, Staffordshire,  
January 29.

From Dr P. Joan Bishop

Sir, I congratulate Christopher Whitty on his prize-winning essay and I entirely agree, in theory at least, with the views he expressed.

In practice, however, case histories are anything but confidential. Hospital folders pass through many departments and are handled by students, paramedics, secretaries, typists, filing clerks, receptionists and possibly other less authorized persons.

Having been a patient myself, I could sympathise with the patient who complained to me that everyone in the hospital was entitled to read his notes except himself!

In fighting any move to change the law towards permitting patients access to their case notes, Mr Whitty must be prepared to deal with this anomaly.

I am, yours faithfully,  
P. J. BISHOP,  
Tappetts, Wilmington, East Sussex,  
January 30.

## Helping the homeless

From the Director of Shelter

Sir, Robert Perrin (January 29), calls for a "bolder and more philosophical approach" to tackle homelessness in our big cities but his proposal merely translates into a squatter's camp in the middle of London.

It is wrong to perpetuate the myth that somehow people who are homeless are different from other people, requiring them to be lumped together in some communal unit — a hostel, a camp, a separate area.

Government money for extra hostel places is welcome, for there is a growing shortage of hostels, but the question should always be "Why a hostel rather than a home of your own?" Sadly, this question is not being asked.

Homelessness — the result of too little affordable rented accommodation — was not perceived by the government as a problem until it became highly visible on our streets. It is no surprise that the government's strategy now should be first — clear up the streets, and second — provide hostel spaces.

Its long-term housing plans are still totally against a background of continuing under-investment causing the loss of a much larger number of hostel beds.

Yours faithfully,  
SHEILA McKECHNIE, Director,  
Shelter,  
88 Old Street, EC1.

## Role for engineers

From Mr Ron Kirby

Sir, In the debate on appointing engineers and scientists to non-executive directorships (Letters, January 26 and February 1) I should point out that the number of engineers running companies is on the increase. Our most recent survey shows that 9,500 of the UK-based 190,000 engineers and technicians on our register are chairmen, chief executives and managing directors.

Yours sincerely,  
RON KIRBY,  
(Director of Public Affairs),  
The Engineering Council,  
10 Maitland Street, WC2,  
February 1.

## Pole position

From Mr Neil Freeman

Sir, My village hall is advertising an "Indoor Car Boot Sale". Apart from the extraordinary vision that is conjured up, whatever happened to jumble sales?

Yours faithfully,  
NEIL FREEMAN,  
18 Redwood Drive, Wing,  
Leighton Buzzard, Bedfordshire,  
January 30.

## Adur poll tax

From Mr Martin King

Sir, I was disappointed in the letter from County Councillors Sheridan and Elliott (February 1) on the subject of Adur District Council and the poll tax.

Ian Elliott is a former leader of Adur council. I would have thought that both would be more aware of the degree of local discontent about Adur's resources and the unfairness of the two-tier local government financial structure.

No administration in Adur, whether Liberal Democrat or Tory, has succeeded in spending within government targets since they were introduced in the early 1980s. This is not surprising. Adur's target spending has always been unrealistically low and has increased by only 37 per cent in the last eight years — much less than inflation. West Sussex County Council's target will have gone up by 97 per cent over the same period. To date, had West

Sussex received Adur's meagre increase it would have overspent by £100 million.

County council services represent 80 per cent of Adur's poll tax next year, and they are proposing a £52 net increase. Adur's is a modest £12 increase (having lowered the proposed poll tax by £15 in a challenging exercise to reduce spending commitments). Of the £405 expected to be payable after April, £318 will go to West Sussex and only £77 to Adur.

Government grant per head in Adur is equally inequitable. If we received the same as neighbouring Hove, we could have put the poll tax down next year. One quarter of our population lives within a mile of Hove's boundary. I fail to see why Hove residents deserve £177 each

Letters to the editor should carry a daytime telephone number. They may be sent to a fax number — (071) 782 5046.











# Go-going back to the good old days

There is more than nostalgia behind the shift back to Sixties style, Liz Smith reports

The first of the new season's short shift dresses are arriving in the shops. Last summer's explosion of Pucci print and eye-popping colour shows little sign of slowing down. Hairdressers are relearning the skill of backcombing hair into tousled beehives and high chignons. Revivals of the Sixties? Right. And, in a way, wrong.

Fashion followers – and designers – seem to yearn for the security of proven successes. Fond reminiscences of the boom times of the Sixties are not lost on an industry facing a worldwide recession.

But it is not simple nostalgia for clean-cut chic that has propelled the Sixties look back into fashion. There were gauche-looking hot pants, white go-go boots and baby-doll dresses then, too, remember? And who ever looked chic in frayed flares or bell-bottoms? Their revival suggests a different cause. The wacky styles are an escape from the greyness of today. "A good time for little money" is the excuse that the New York designer Norma Kamali gave for her revival of bare midriffs and hip-bugging flares for this spring.

For anyone looking for an excuse to wear flares or a mini trapeze there is the Birthright Sixties Ball, being held at the Albert Hall next month.

Sixties fashion heroines who have become part of the iconography of the look – Audrey Hepburn, Babe Paley and Jacqueline Kennedy – all exuded that air of aloof elegance that makes even the most outrageously high hemline or outlandish colour look *plus chic*.

When Ivana Trump remodelled herself last year, she adopted the tousled Sixties beehive of Brigitte Bardot. At the Paris couture shows last July she looked cool and chic in an apricot silk sleeveless shift dress, by the New York designer Oscar de la Renta, with orange kid gloves. After his tiff with Inès de la Fressange, his star model at Chanel, Lagerfeld replaced her with the bosomy Bardot lookalike Claudia Schiffer. Flirtatious flick-ups and headscarves were seen on the catwalks at ready-to-wear shows for spring 1991.

The silhouette may be vintage,



Under the influence: Caroline Charles's 1991 sleeveless shift dress, left; Audrey Hepburn at her wedding in 1953, above

but it is being well reworked by designers everywhere. Tiny armholes are square-shaped or slope inwards to the neck. It was simply a matter of adjusting the proportions and sharpening the line of the shoulders for Bill Blass and de

la Renta in New York to update the Camelot look. The flattering semi-fitted cut now skims out more gently from under the bust. Valentino in Rome chisels matt double-faced wool in ivory or fondant pink into a perfectly

proportioned dress and jacket with scalloped edges.

Mass-market designers today have high-technology fabrics to sculpt and mould Courtesie-style shifts, so that less-expensive Sixties styles look more polished the second time around. Lygia has revolutionised cut and cling.

"Do you remember that word 'bandbox'?" the designer Caroline Charles asks. "It is a young, smart and very cleaned-up look that

comes to mind. It's going to be amusing again to have a pair of white gloves and shiny pillbox hat, low-heeled square-toed shoes and pale stockings. In the Sixties it was for the young. Today it's far more sophisticated." Short shifts in black and white geometric prints, neat suits and dresses with jackets started in the Charles collection for spring. Gleaming hair, dark glasses, a neat, boxy bag and white gloves are key accessories.

Lagerfeld (for Chanel) and Liza Bruce (with stretchy swim dresses) are among today's designers reviving the op-art geometry of blocks and bands of black and white. Edina Ronay uses satin-backed crepe (a very Sixties cloth) for a sleeveless shift (£252) and black and white linen for a boxy jacket (£310) and contrasting skirt (£99). Miss Selfridge stocks sleeveless shift dresses in black and white, plain in satin-backed crepe

Buzz from the past: a 1967 trapeze dress, above; Next's 1991 version of the look, far left, has clean lines and graphic punch; Ivana Trump, left, adopts the Brigitte Bardot beehive, below

(£27.99) or quartered in blocks of black and white heavy polyester (£34.99). Neat Sixties suits in pink or bright tangerine tweed are priced at £68.98 or in pastel tweed at £78.98. Next's black and white A-line dress with cut-away top (£42.99) relies on clean lines and graphic punch for much of its chic.

Jigsaw stocks a dress and matching coat in striped wild silk in Neapolitan shades (dress £75, coat £99) that looks ladylike despite its micro-short Sixties hem.

Lucille Lewin has supplies of neat sleeveless dresses priced under £100 in her Whistles shops (London, Oxford, Bath and Glasgow). "Your upper arm has to be in good trim for the sleeveless styles, which is why I have done cover-ups to match," she says.

Arabella Pollen says she was not looking back to the Sixties when she designed the hipster skirts with Perspex buckled belt (£170), ice-blue and white crepe slip dress (£205) and brightly checked hot-pant suits in her spring 1991 collection. "They are styles that are fun to wear. They just turned out looking Sixties," she says.

For tickets to the Birthright Sixties Ball on March 11 at the Albert Hall (beginning Saturday 9th February 9.30 to 5.30. Our new collection of silk wedding dresses is now available to view, please telephone for an appointment. At Number Six Gloucester St. Oxford 0865 246806

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THE TIMES

## Blossoming art

● Jane Packer is exporting her talent for flower arranging to Tokyo, where Japanese women are flocking to her school to pick up new ideas for their ancient art of *ikebana*.

OPENING a flower arranging school in Japan may sound like taking coals to Newcastle, but Jane Packer's London School of Flowers is flourishing in Tokyo.

Her designs incorporate an astonishing variety of elements not usually associated with flower arranging – fruits, fabrics (velvet and silk), moss, bark, asparagus, nuts and aubergines. How do her Japanese students cope with these unusual ingredients?

"They are used to minimal arrangements employing one flower and a contorted branch. But they seem to like the fact that our school allows them to experiment much more," Ms Packer says.

She set up the school last autumn at the invitation of Mitsui, the Japanese trading giant that brought other British imports, including Burberry, to Japan. It is run in tandem with the Hanadai company, which operates nine retail stores selling flowers and *ikebana* (arrangement) accessories, with annual sales of 600 million yen (£2.26 million).

Ms Packer is the principal of the school, and takes classes for two weeks twice a year. She writes the curriculum and selects the flowers to be used. With a maximum of 15 pupils each, the classes are a little larger than in Jane Packer's School of Flowers in Maida Vale, north London, which she restricts to ten. Her video, *Living With Flowers*, released in Britain last November, is currently being dubbed into Japanese and will shortly be on sale in Tokyo.

Mitsui is keen to establish the Packer name in Tokyo, and then to progress to the

production of flower-related products – pot-pourri and flower-scented candles, for example, and imported ceramics designed by Ms Packer and made by British manufacturers. Within a year she hopes there will be a range of her products on sale in Tokyo.

"Designers seem to be a vehicle for selling all kinds of things in Japan in a way that just wouldn't work in the West," Ms Packer says.

NICOLE SWENGLEY

## ANNABELINDA

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They've got the time and they've got the money: two views of the role of modern grandparents, and of their value to parents

# The best days of their grandparents lives?

The prep school Quinton Hall, in Harrow, north London, held its first "grandparents day" in 1989 and is preparing for another this year. The headmaster, Peter Milner, uses the occasions "to say thank you for all your help", and to acknowledge the important role of grandparents in the education of children.

Hazel Cina, aged 58, who has two grandsons aged five and eight, at the school, is typical of those grandparents who enjoy such appreciation of their involvement. She has attended all school speech days and concerts and usually tries to take along her own mother, who is 85. "My husband and I have always taken an active interest in my grandsons' schooling," Mrs Cina says, "although we have not offered any financial assistance because my son-in-law has not required any."

According to a Mintel survey last month, other over-55s are finding that their financial help is being welcomed.

The children of Simon Wheatley, aged 38, a banker and old boy of Quinton Hall who has two sons at the school, are a good illustration. "I am paying my sons' current fees," he says. "However, my parents have very generously been contributing considerable sums of money under deeds of covenant for the secondary school education of all four of our children." (The Wheatleys have sons of 11 and eight, and daughters of ten and three.)

"My parents would certainly like to see the boys at Eton, with Merchant Taylors as a second choice, although — and this sounds terribly sexist — they are not so greatly concerned where the girls go."

The financial adviser Fraser Marr, which specialises in school fees, estimates that the cost of full-time boarding school education for a child until the age of 18 is about £300,000. This would require an outlay of £100,000 to be invested at the child's birth. The sums would be halved for an education at private day schools, according to Tony Murrell, the managing director of Fraser Marr, which was one of the companies con-

sulted by Mintel in its survey. "I was surprised at the extent of the help from grandparents because we found, after the 1988 budget when tax relief was abolished on deeds of covenant for minors, that there was a steep decline," Mr Murrell says. "Now it could well be that grandparents are simply paying school fees as and when they arrive, as opposed to making a gift to the grandchild in a lump sum to be invested, or as a regular income to the parents."

Bill Patterson, of Mintel, who wrote up the report, says: "Grandparents have higher disposal income and higher expectations these days, and we can fairly safely assume that a relatively small proportion of parents can pay for their children's education out of their existing salaries — even though Tessa and tax-free personal equity plans may help. And the property boom of a few years ago means that many grandparents have a great deal of realisable capital in their homes."

Fraser Marr's own recent survey suggested that "it was because of the property boom more than anything else that money has been able to be gifted down a generation", Mr Murrell says. He points out that, in some circumstances, deeds of covenant, although no longer tax exempt, can still be freed from inheritance tax. Fraser Marr may also suggest investing in Fifth Issue Index-linked National Savings Certificates — the contemporary equivalent of "granny bonds".

But what will all this granny bonding mean for the balance of power within the family?

Dr Alan Cooklin, who works at the Institute of Family Therapy, and other institutions, says: "The power shift is very interesting... I think we will see more families caught in the dilemma between grandparental views about the development of the family and their own."

Dr Cooklin points out that ownership and money are among the biggest causes of contention in families and that if grandparents are paying the piper they will inevitably call the tune. But he believes that the type of grandparent who will fund school fees might already be quite an

influential family figure. "It means that families have to have some discussions about money which they never had before," he says. "In some families, money is not discussed, it is one of the great taboos."

"The way in which the money is given is important. If grandparents say 'I've set up this trust in order for Johnny to go to Eton', and use their money to undermine the parents, that can be destructive. It is better to give the money with freedom of choice."

Murrell says that, for tax reasons, his company recommends an "arm's length" gift from the grandparents for the absolute benefit of the child. He points out that a situation could arise in which the parents might have no say in how such a gift could be used. "There would need to be a trust fund created with a minimum of two trustees appointed," he says. "One of the parents could be a trustee, but if, on the other hand, the

grandparents are concerned and don't trust their own son or daughter to carry out the wishes of their gift, then they can appoint their own trustee so that the parents have no say in the matter. But we would strongly advise against this, or against earmarking money for a specific school."

Dr David Campbell, a family therapist with the Tavistock Clinic, the counselling service, says that he has seen families where the problem has been the control or influence the grandparents have over educational decisions — particularly when they are paying school fees.

Dr Campbell, who has two children — one in a private school, the other in the state system (but no grandparental help) — cautions that "financial assistance from grandparents can be a double-edged gift. When the grandparents are paying, there is a subtle message about the kind of lifestyle and values they want to be maintained."

VICTORIA MCKEE



Thoroughly involved grandparent: Hazel Cina attends speech days and concert at her grandson, Jonathan's, school

## Left holding the baby

I AM a granny, which is a lovely thing to be. But over the last three years and a bit, through firm and systematic training from my daughter, I have developed into a Really Useful Grandmother, and that is better still.

The beginning was child's play. We would drive to London to inspect our new grandson, swear he had recognised and smiled at us, search for hereditary features, present him with yet another home-made cardigan and return to the peace and tranquillity of Salisbury. As time went by, we realised that more was expected. Hints that mothers could do with a break, and that we could take over for a day like other grandparents, could no longer be ignored. "But I can't," I said. "I've forgotten how." I knew my daughter's look. I'd seen the same tolerant expression on my grandson's face as he watched me wrestle with booties, bibs, harness, and an impossible-to-unfold buggy. My daughter was encouraging afterwards. I had done quite well; how about next Thursday?

A few weeks later the telephone rang again. "Oh, ma — Sarah and David have asked us to Dorset for the weekend, so we thought we'd dump Alexander with you on Friday, and pick him up on Sunday. OK?" "I'll ask pa," I said weakly. He merely grunted, then started to hum thoughtfully to himself.

A buggy, folding cot, playpen, high chair, safety gate and a cornucopia of duvets, toys and clothes cascaded out of the car and were hurled into the house. Alexander gave a piercing wail and his parents sped off, waving merrily.

At dawn the next day our grandson was wide awake, bursting with energy. He flashed round the house and its potentially lethal contents, like a small kamikaze pilot. We drew pictures, we sang songs, we read stories, we told stories, we built cushions into houses and knocked them down again, and it was only

11 o'clock. Grandfather coped as I cooked and sieved an amazing amount of food. I even managed to get some of it into Alexander's mouth.

Sunday was a little better, and his parents thought we had done very well. "I'll leave some of his things here," said my daughter. "It'll make it easier for next time."

"Next time" became more and more frequent, and each visit was more fun. Then the telephone calls became worried. Alexander had become a terrible two-year-old overnight. We offered to have him for a while and give her a break.

Alexander was duly delivered, and after two bedtime stories, we crept downstairs. Dull thuds, running footsteps and shrieks of laughter came from above. "Leave this to me, darling," said my husband, who is 6ft 3in and Sandhurst-trained. He came down some time later, avoiding my eyes.

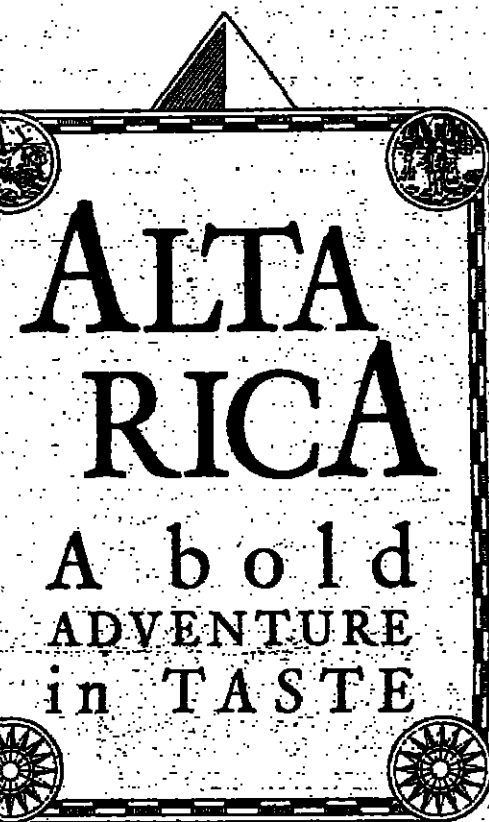
We survived the first morning picking our way through a minefield of tantrums. Friends had asked us to tea. I laid a beautifully-ironed shirt and shorts out carefully, and prepared for battle. "I WANT TO WEAR MY JEANS," bellowed Alexander, scarlet with fury. "I hate this horrid shirt!" He threw it on the floor and stamped on it.

It was now or never — and I was losing. I knew he had just been taken to see the guards at Buckingham Palace. "I am your officer," I roared. "Pick your shirt up at once! At the double... one, two, one, two." Alexander blinked, shook himself, and kept smartly in time as I barked out my commands. "Arms up, one, two. Shirt on, one, two."

"Ah," said my husband, as we marched downstairs. "No trouble getting him dressed, then." When my daughter arrived two weeks later I was almost relaxed. She seemed surprised. "We've had such a happy time," I said. "When can we have him again?"

VALERIE MARSHALL  
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## THEATRE

# Exit, pursued by a quota counter

Benedict Nightingale asks why, despite well-publicised exceptions, British and US actors are not free to come and go as they please

In a world where consumers are as much as rulebooks, American audiences would be able to discover why the British are so impressed by Michael Gambon, Michael Bryant, Susan Fleetwood and other stage performers. Londoners might become familiar with names as resonant on Broadway as Joan Allen, Philip Bosco and Stockard Channing. As it is, any producer wanting to bring them either way across the Atlantic will end up feeling as if he is sending a panda by parcel-post to Mongolia. Why endure the bureaucracy, agro and ado?

Plenty of questions have been raised recently about American Equity in particular. The union is widely agreed to have made itself look foolish, first by challenging a white British actor's right to play a Eurasian in the impending New York production of *Miss Saigon*, then by accepting him in grudging spirit. Perhaps it is time to step back from the Pryce War, as the tabloids have called it, and look more broadly at the closed shop from which hostilities were launched. Why union vetoes on the transport of talent? Why so many restrictions on the happiness of the theatregoers?

Both Equities have similar rationing schemes and the clout to enforce them, but the American union does so more strictly. Though a fourth was added in the 1980s, its rulebook lists just three permissible routes into the US for what it warily calls "aliens", rather than the 10 or 12 of Guinness were space invaders.

Aliens may come if they offer "unique services". Should a producer be casting the Cyclops, and a Manxman be the only eight-foot actor with one eye in his forehead, the job is his. Lea Salonga, a Filipina, is starring in New York's *Miss Saigon* because no other Oriental actress matched her skills. British Equity is letting the American Ken Page appear in London in *Children of Eden* for even more impressive reasons. Nobody else apparently qualifies as God.

Again, a British "unit company" may visit America, and vice versa. That sounds straightforward, but in practice is beset with obstacles. British Equity takes a relaxed view of the issue, perhaps because there are so few decent American ensembles. There would have been no fuss if Chicago's Steppenwolf had spent weeks rather than days at the National with its *Grapes of Wrath* in 1989. "We might worry if a West

End theatre was tied up for nine months, but not otherwise," says Peter Finch, theatre secretary of British Equity.

But American Equity requires even the RSC and National to bring no fewer than two productions for no more than 20 weeks when they visit an America city. *Nicholas Nickleby*, a huge success in New York, was accepted only because it was long enough to qualify as a double bill. Brian Friel's *Dancing at Lughnasa* started at the Abbey in Dublin, then moved to the South Bank. Now plans to take it to Broadway seem to be foundering, partly because it is not commercial enough, but partly because of the difficulty of finding a second production to accompany it. Americans may thus miss one of the finest plays of our time.

Again, "star" performers have free passage either way. The difficulty here is definition. Nobody could reasonably dispute the status of Vanessa Redgrave or Dustin Hoffman, Jack Lemmon or Glenda

they were cast in the British productions of *A Walk in the Woods* and *Les Misérables* respectively. On both sides of the Atlantic, celebrity, glitter and (something actually mentioned in the American rulebook) high earnings matter more than brilliance onstage.

Yet Cox and Whitelaw, Herrman and Lupone, did eventually make the crossing, because of a less formal edict. British performers may sometimes appear in New York, provided the same number of Americans come for the same period to London. Lupone was, so to speak, swapped for Ian Banerjee, who played the lead in a Broadway revival of O'Neill's *Moon for the Misbegotten*. After much argument, Sarah Brightman was allowed into New York for *Phantom of the Opera* because Ann Crumb came to London for *Aspects of Love*. Kenneth Branagh's Renaissance Theatre, which Equity refused to accept as a "unit company", could perform in America because it agreed to organise a reciprocal tour for a Los Angeles troupe.

Such exchanges are increasing. Indeed, both Equities regard them as the best way to avoid either the kind of row that occurred when the British union insisted on a British cast for *A Chorus Line*, or a fiasco such as the Broadway production of Trevor Griffiths's *Comedians*, ruined by American demands that Americans played some distinctively British roles. But balancing performer against performer, week against week, is an offputtingly intricate exercise in human book-keeping. "Silly, and an awful waste of time," says Duncan Weldon, who recently shipped Peter Hall's production of *The Merchant of Venice* from London to New York. Less experienced impresarios must look at the complexities, and despair.

Nevertheless, American Equity seems to regard even these restrictions as too liberal. In the view of its executive secretary, Alan Eisenberg, every Briton who comes to New York in an important part denies an American the chance to further his or her career. Moreover, he has yet to see his members achieving the fame in London that Robert Lindsay and Colin Wilkinson won in New York in *Me and My Girl* and *Les Misérables*. He talks ominously of raising the question in future negotiations. In some ways his anxiety is

*'There is this feeling that we're the theatrical colonies'*  
— American Equity

Jackson, all of whom have recently appeared on each country's stages. Jeremy Irons was allowed to appear on Broadway in Stoppard's *The Real Thing* because he had been seen onscreen with Meryl Streep in *The French Lieutenant's Woman*. Yet at about the same time Brian Cox and Edward Petherbridge were rejected as "stars" when they sought to accompany Glenda Jackson to New York in O'Neill's *Strange Interlude*. For a long time, Billie Whitelaw was prevented from coming to America to play parts Beckett had created for her. He wrote complaining; but no, she was not famous enough.

Similarly, British Equity allowed Daniel J. Travanti into London for a stint in *Les Liaisons Dangereuses* "because he was in *Hill Street Blues*, and when he walked around the West End, he would be recognised". Yet Edward Herrman and Patti Lupone, big names in New York, were not categorised as stars when



Vanessa Redgrave (above right) starred in *Orphan Descending* in London and New York, but Jean-Marc Barr (left) did not transfer

understandable. When he allowed Ben Cross to appear in a now-forgotten American play in 1981, he found himself summoned to angry protest meetings in SoHo. Eighty per cent of his members are unemployed, they earn an average annual income equivalent to £10,000, and they fear a flood of foreigners in search of the higher wages Broadway normally offers. "There is this Anglophile thing, this feeling that we're the theatrical colonies," says Eisenberg. "Producers would market the idea that the English do it better."

But that seems a craven view, especially hard to defend when up to half Broadway's theatres are dark. A few all-English imports

might live a moribund New York without imperilling any American actor. The gains of a free market would surely outweigh the losses, perhaps even for actors.

These days, there are as many American plays in New York as British plays in London. It is hard to believe there would not be a busy two-way traffic if restrictions were lifted. For performers, that would mean a refreshing new environment and the chance to grow artistically. For audiences, it would not just mean never having to tolerate Britons straining to do American accents; and vice versa. We would see new faces, new styles of acting, new theatrical ideas. Why deny us that opportunity?

## CLASSICAL MUSIC

## Compelled by the complexity

With its Elliott Carter festival, the South Bank strides boldly onward in its anti-elitist quest. By which I mean not that Carter's sounds fall easily on the ear of the common man, but that the South Bank remains resolute in its determination to widen the concert repertoire beyond the narrow bounds of the already established, even at the risk of diminishing audience figures.

To the credit of the Park Lane Group, two of the six concerts in this modest celebration were given under its auspices, forming half of the PLG's weekend series of four Praeludium Rainer Memorial Concerts at the Purcell Room. Attendances were extremely healthy, more so than at the other pair of concerts: excellent recitals by former participants in the PLG Young Artists series.

The Carter recitals included the four String Quartets, played by those devoted exponents, the Arditti Quartet. A vast world is travelled by these pieces, yet Carter characteristically explains them away in the simplest terms, describing broad formal outlines and the relationship of the instruments to each other. A pair of duos explores the dynamism inherent in permutations of their different, non-coincident musics in the Third Quartet (1971), for instance, whereas in the Second (1959) four highly individualistic soloists attempt to reconcile their differences through "disciplined" and "companionship". And in the Fourth (1986) the players must plough determinedly onwards in a "spirit of co-operation" which only makes itself obvious at structural punctuation marks, where the instruments join together in a brief chorale.

But in these three quartets the music is tumultuously complex, and so difficult that approximation of rhythm and, occasionally, pitch is inevitable in any performance. Much of their powerful effect does indeed stem from the sensation of watching and hearing four heroic players battling it out against the impossible, though the quartets are certainly not unreasonably fast and furious.

But there is far more here than mere physical sensations. The ear tunes itself to new degrees of receptivity, and is beguiled into a determination to unravel the complexities of Carter's counterpoints. It never quite succeeds, but that is another reason why these works are so compelling.

In any case, whose ear and mind can completely unravel the textures of Beethoven's *Grosse Fuge* during the course of a performance? That piece, by several decades the earliest repertoire I have heard the Arditti play, was a most appropriate introduction to Carter's Third Quartet: its world of, at times, near-incoherent textures, its sense of unbridled physical energy, and, yes, its unorthodox spirituality are all things that Carter's quartets share.

Set against the abstractions of the final three quartets, the First Quartet (1951) seems lyrical, emotional and direct, even though the composer has written of this as the first piece in which he deliberately ignored what he had hitherto thought to be the requirements of his audience. Even here the textures are hardly straightforward. Carter typically plays with time as if it were some fantastic time-machine, the final variations of different themes that are repeated faster and faster until they simply vanish. But the work's eloquence and structural originality forge a link between its successors and its natural progenitors, the quartets of Bartók.

That we did not hear the Arditti play some of those was perhaps a pity. Instead, besides the Beethoven, the programmes were supplemented with Stravinsky and with the American composer Ruth Crawford Seeger's Quartet of 1931, an innovative work which contains the roots of some of Carter's techniques.

In every piece the extraordinary Arditti Quartet gave their magnificent all. There have been more beautifully polished performances of the *Grosse Fuge*, but none has better captured its sense of charting the unknown.

In the weekend's first recital, the mezzo-soprano Adèle Paxton, with her pianist



Carter: a sense of unorthodox spirituality

Caroline Dowling, gave a programme that included a beautifully shaped performance of Debussy's *Chansons de Bilitis* and Praeludium Rainer's dense John Donne settings, *Cycle for Declamation*, as well as songs by Schubert and Wolf. This is a ripe and expressive young voice of which we will be hearing more.

Then, on Sunday, the cellist Timothy Gill and his pianist, Fali Pavi, tackled Rachmaninov's Cello Sonata with fervent passion, making some glorious and beautifully balanced sounds. Their enterprise extended to Edison Denzov's Three Pieces, to Philip Wilby's resourceful *Parables*, and to Rainer's Suite for solo cello, a work with no pretensions to greatness but one of integrity and inventiveness.

STEPHEN PETTIT

## RECORDS: PIANO MUSIC

## Excellence that speaks for itself

WHERE were you on September 30 last year? That was the date of Evgeny Kissin's Carnegie Hall debut recital. And just as this 19-year-old Moscow-born pianist has needed no piano competition to give his talent recognition, so this live recording of the recital needs no hype at all to send it on its way.

In an ear-opening programme of Schumann, Prokofiev, Liszt and Chopin, it is the Prokofiev Sixth Sonata which stands out. The work emerges new-minted as one of the most intelligent, imaginative and physically felt performances on record. Kissin already knows his expressive aim, and his knowledge is lit by a quality of insight equalled by technical assurance.

He is apparently inspired by an unwritten programme which evokes Stalin: an image, taken from an early Russian film, of an imprisoned dictator shooting down a sunbeam, focuses his recreation of the finale to extraordinary effect.

Kissin's unfettered energy, and high animal spirits invigorate the Schumann *Symphonic Etudes* and he distributes the "posthumous" variations appropriately through the work. The placing of the fourth one, half way through as a still, highly-charged centre is typical of his thinking.

As Kissin moves forward into his life, so Rudolf Firkušný reminds us, similarly, that the sketches, *On An Overgrown Path*, were written as an emotional outlet for Janáček after the death of his daughter. Repeated notes melt into tremolo, the polka sidles in more as the thought of a polka. For Rudi, the dance is physically immediate, almost cheeky in its rhythms, and the octave figure in "good night" becomes a dominant motif.

The two discs could stand happily as a complementary pair, were it not for the recording quality of the Rudi. The actual sound is less pleasant, a shade too resonant, and with the sucking-in sound of the released pedal far too obtrusive.

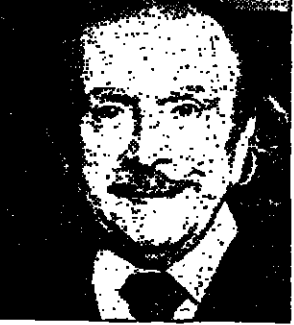
For Beethoven, Arrau is clearly the man. His questing, singing Op 110 with its tender lament, its hard-won fugue, is coupled with a vibrant reading of the "Tempest" Sonata. This is characteristic latter-day Arrau, with the work's questions and answers, its broken chords and drumming semi-quavers, worked out in a powerful, slow-release ebb and flow of energy. After this, Ashkenazy's "Moonlight" is but a pallid affair, and his "Waldstein" and "Appassionata" disappointingly uninvolved.

Evgeny Kissin: Carnegie Hall, RCA RD60443.  
Jánáček: Piano Music, Firkusny, RCA RD60147.  
Janáček: Piano Works, Rudi, EMI CDC7 54094 2.  
Beethoven, Sonatas 21, 23, 14, Ashkenazy, Decca 425838-2.  
Beethoven, Sonatas 31, 17, Arrau, Philips 422067-2.

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Arrau: ebb and flow

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HILARY FINCH

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## BRIEFING

## Almost a namesake

RICHARD Dreyfuss is to star in a film about Alfred Dreyfus. The film, *Prisoner of Honor*, directed by Ken Russell, starts production in London this month. Dreyfuss will not, however, play his neo-namesake, but Lieutenant-Colonel Georges Picquart, chief of the French army statistical section. He was the man who first recognised that the evidence which sent Captain Dreyfus to Devil's Island for espionage in 1894 was forged. Picquart sacrificed his own army career to expose the truth and help clear Dreyfus' name.

### Miller turns

HAVING turned his back on his decision to turn his back on opera, Jonathan Miller has never been so busy. In the same month as the good doctor's production of Britten's *Turn of the Screw* returns to the Coliseum (February 16), his new staging of *La Fanciulla del West* opens at La

Scala, and his Met debut is made in New York with *Katya Kabanova*. Moreover, a discovery of asbestos in Florence's Teatro Comunale means that the city's Maggio Musicale festival will be filling smaller opera houses this year - just right for Miller's production of *Così fan tutte*, which is now scheduled for the 18th-century Teatro Pergola.

### Last chance

AT THE end of the Van Gogh centenary year, Glasgow nudged in just ahead of the Van Gogh Museum, Amsterdam, with *The Age of Van Gogh*, a large show giving the Dutch context of Van Gogh's art among his immediate predecessors and contemporaries. Although none actually outshines the master, there is much powerful and vibrant art from the post-impressionist era in the Netherlands which (early Mondrian apart) is hardly known abroad and awaits international discovery. At the Burrell Collection, Pollok Country Park, Glasgow (041 649 7151) until February 10.

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ART HISTORY

# Party lines and busy signals

A new book about the artist El Lissitzky stops short of explaining why his work often served communist propaganda, says Joseph Connolly

He was a propagandist for the Red Army; a Jew who designed the very first Soviet flag, as well as many crudely proselyting posters. Yet he was also the foremost avant-gardist in Russia, a disciple of Chagall who could turn from architectural design to painting to commercial art as easily as he could adapt his style to the latest influences. What is his ultimate importance? The publication this week of an impressive new book about El Lissitzky, who died 50 years ago this year, will raise that question once again.

Last year, to honour the centenary of his birth, a large retrospective exhibition was jointly organised by galleries in London, Moscow, Madrid and Paris. It is the very substantial catalogue of this exhibition that is published in Britain this week: it forms the most comprehensive analysis to date of every aspect of the artist's formidable and pioneering talents.

Eliezer Markovitch Lissitzky was born near Smolensk into an ordinary Jewish family. He was, by all accounts, determined to be an artist from an early age. Having passed the entrance exam to the art academy in St Petersburg, he was then rejected because the very small number of college and university places allowed to Jews in Tsarist Russia had been filled. In 1909 Lissitzky went to Germany to study architecture: an unexplained break from his hitherto driving passion (bordering upon the compulsive) for freehand drawing. But in 1914, at the outbreak of world war, he was forced to return to Russia along with a great many of his fellow countrymen, most notably Kandinsky and Chagall.

For the next five years, indeed, it was Marc Chagall who wielded the greatest influence over Lissitzky. Chagall introduced him to "Jewish Art": the October Revolution of 1916 had removed all the old Tsarist antisemitic restrictions, and a Jewish renaissance was flourishing. The bulk of Lissitzky's work from this period took the form of rather crude gouaches and peasant woodcuts for Jewish books, the best of them strongly reminiscent of Chagall's work, and the worst lumpy and laboured. Claims have been made that Lissitzky's later, more cubiform lithographs foreshadowed his imminent achievements in geometric and abstract art, but such a perception seems illusory.

More interesting, Lissitzky also carried out some now untraceable propaganda work for the cultural

department of the new communist government. The Soviet flag he designed was paraded in Red Square on May Day, 1918. Does this mean that he was an ardent revolutionary? This new book skirts the issue, other than saying that "Lissitzky did not actively participate in the upheavals". It is certainly true, however, that his first notable poster — a striking design of red triangles and white circles on a black and white ground — carries the uncompromising message: "Beat the Whites with the Red wedge". Here was unashamed propaganda for the Red Army during the civil war.

He continued to work for the Russian government within the realms of architecture, design and exhibition arrangement throughout his life. Indeed, one of his last works was a poster bearing the legend "Give more tanks" across a collage of proud Russian workers and munitions: a style more readily associated with the Nazis.

Lissitzky was a revolutionary, but largely because the new government offered him the freedom to explore with relentless energy the multifarious avenues of his art, in pursuit of a Utopia at a time when such a thing seemed entirely possible. The Tsars had been repressive towards artists in general and Jews in particular; for these reasons, Lissitzky would have supported their overthrow. Furthermore, the Soviet government provided steady income when such a thing was rare, and he was not the first Utopian to have taken this into account.

The course of his artistic ambitions, however, was to be radically altered as a result of Chagall's appointment as commissioner for artistic affairs in Vitebsk (his home town). Lissitzky was taken on as an instructor in 1919, and later that year the faculty was joined by the remarkable Kazimir Malevich.

Within a very short period, Malevich had undergone a rapid development from Impressionism, via Primitivism and Cubism to totally abstract art; as early as 1915 he had produced the first of his Suprematist paintings, in which flat, brightly-coloured geometric shapes float in a sea of white. Chagall (who remained true to the precept of "Jewish art" all his life) disapproved of Malevich's painting theory, but to his disappointment Lissitzky became captivated: he immediately abandoned "Jewish art", became a vociferous disciple of Suprematism, and within twelve months had developed it into



Artist's gift in service of a search for Utopia: a 1929 poster by El Lissitzky is typically heroic

something startling and totally his own.

Lissitzky's new paintings, which he collectively entitled *Prism* (which some see as a contraction of the Latin *pro uno vis*, or "all for one purpose"), though the artist never made this clear) anchored the floating shapes of Malevich's Suprematist works: the shapes are pinned, and yet float freely in limitless space.

By fusing Suprematism with the Constructivism of the much admired Vladimir Tatlin and Aleksander Rodchenko, Lissitzky quickly established himself as the leading Russian artist. He consolidated his reputation by his contacts with the Dutch de Stijl movement, and his

collaboration with its driving force, Van Doesburg.

Lissitzky has been criticised for an eclecticism that constantly drove him from architecture to painting, from typography to exhibition design, from commercial art to three-dimensional constructions and even photography. Art historians are never kind to jack-of-all-trades, but it does seem as if Lissitzky's belief in the need to further art with his disrespect for adherence to "isms" — took him closer to his Utopian goal than would otherwise have been possible.

The aim of his huge body of work remained coherent: "Every piece of work I did," he wrote, "was an invitation not to make eyes at it but

to take it as a spur to action, to urge our feelings to follow the broad aim of forming a classless society." He is remembered as the foremost Russian avant-garde artist, even if his work never achieved his affirmed ambition to "change the world". Yet one can only wonder at how, in the last years of his life, he continued to support the Stalin propaganda machine, when people continued to disappear — many of them his colleagues. Perhaps, as private disillusion and tuberculosis took hold, he simply could not bear to face the awful reality that had replaced the alluring dream.

● El Lissitzky: 1890-1941, edited by Frank Lubbers, is published by Thames and Hudson at £24.95.

RADIO

## Not a verse to free publicity

Fiona Pitt-Kethley, a bit out-of-breathily, kissed the microphone; it turned into stone. Verse is always easier than prose, and neither is as difficult as travel, which demands a far greater degree of sustained contact with the outside world. And the most hopeful journey of all is the one that terminates in the publisher's office. Those who feel that *The Art of Travel* (Radio 4, Sunday) should be retitled *The Art of Pushing Travel Books* have a valid point. We would not be treated to the thoughts of Dervla Murphy, Bill Bryson and company if they did not have a vested interest in recycling their experiences from the page to the ether. We never hear from footsore analogues.

Pitt-Kethley, the swan of Hastings, belongs to what has been called the press-release school of poetry: her effusion delivers regular bulletins of personal information which may or may not stimulate a future biographer. Her notion of travel takes much the same line. In the course of a self-imposed quest to discover the remnants of the Sybilline cult, she engaged in a parallel endeavour to road-test the manhood of Italy — a novel conjunction of the oracular and the venerable which achieved its most useful result in the person of an archaeological guide. That way, as she candidly pointed out, you get a free tour.

Chary of stressing this second element for gentle listeners, the interviewer Annette Koback concentrated instead on the risks run by a solitary female progressing through a country not renowned for chivalry, which was rather to miss the point. The poetess was not, after all, going so far as to recommend her own gung-ho behaviour as a model for others, although it must be said that her stout declaration that "a woman should be able to go anywhere," is both unanswerably true and unacceptably idealistic. It really is a jungle out there. A foreign female who, for whatever reason, declined to conjugate, would find Latin lessons taking an onerous turn. Then again, a male writer engaged in self-promotion of this stripe would attract an artillery strike of contempt from all quarters. It all depends on conceptual map-reading, on working out your route in advance.

Still veering gallantly along

the wrong track, Koback reminded her guest that Baedeker calls the Sybilline caves "unsuitable for ladies". "Well I'm not a lady," came the prompt and predictable response. As for the first element, the topographical reports tended to the inert and unpoetical. Naples is "an extremely dirty city", whereas Cumae (in the footsteps of Virgil) has "absolutely beautiful countryside". These are judgements from under the hairdriers.

A couple of hours later, the same waveband exhorted *Diary of a Madman*, Gogol's unsettling story of progressive derangement in which the narrator ends by being recognised as the true King of Spain — "Spain" being demonstrably a mental asylum. The late Kenneth Williams' account of this affective decline was a revelation of technique, his voice fluting and barking on the very edge of parody. More remarkably yet, this recording was the "enhanced" soundtrack of an uncompleted cartoon film by Richard Williams. Most impressive of all, missing bits had been restored by computer sampling, a procedure which can do for dead actors what DNA engineering cannot yet do for mastodons.

Both of these programmes were delivered by the medium of long-wave which — 60 miles distant from Portland Place — results in an unacceptably scratchy signal. The FM band has been hijacked until further notice by a progressively dispiriting infatuation with all things militaristic. War, war, everywhere... adjust your sets.

MARTIN CROPPER



Fiona Pitt-Kethley: personal information

FILM FESTIVAL: ROTTERDAM

## Plain-speaking private enterprise

The attractions of the current Rotterdam Film Festival include a revealing progress report on the Soviet cinema. Surprisingly, amid all the chaos and breakdown, cinema is apparently flourishing. Annual production has rocketed from 140 films to 380.

All but a few productions are still state subsidised; most of them have been made on very low budgets by private co-operatives. There appears to be no lack of investors: some of the money, undoubtedly, comes from the flourishing Soviet-style Mafia.

Moreover, the films are capable of bringing back handsome profits, despite a general decline in enthusiasm for cinema, and the unrealistically low ticket prices in Soviet movie houses. Even though Russian films have a hard time competing in Moscow or Leningrad where American films and the varied delights of "video-salons" are freely available, the provincial market remains strong.

The new films have the attraction that film censorship and the old taboos have been virtually eliminated. A new genre of film, the Chyornikha (black movie) deals openly with aspects of Soviet life which were denied by the sanitised cinema of pre-perestroika: drugs, prostitution, crime, alcoholism, black markets, the homeless and the beggars, boredom and alienation.

This period of outspokenness may prove short-lived. As the KGB begins to resume a dominant role in social organisation, there are signs that a resumption of censorship is imminent. While it would be fascinating to see some of the more sensational and opportunist films of this brief period of freedom, Rotterdam has been screening some of the more serious recent examples.

It seems significant that the two great visionaries of modern Soviet cinema have both died since perestroika: Andrei Tarkovsky in 1986 and Sergei Parajanov last year. Although their disciples and imitators remain, the dominant style of the new Soviet film makers is an earthy realism, emphasised by deliberately unadorned filmic style.

David Robinson reports on what may prove to be a temporary flowering of free expression in Soviet cinema



Fine work: Kamur Shahani's *Kasha*, from India, is a successful transposition of Chekhov's *The Ravine*

*Little Vera*, which achieved international distribution, was a work of the new school. It is true, in the words of a leading Soviet critic, Andrei Plakhov, that "these completely realistic films actually display a greater and greater tendency towards the grotesque, existential absurdity and existential horror. They do this while remaining completely realistic. Soviet reality itself, the very flesh of a disintegrating society in the grip of a chain-reaction of entropy, is unreal, or, if you wish, completely surreal."

The new film-makers delight in exposing the drab and brutal truth behind the old Utopian image of the Soviet empire. Valeri Kamievski's *Die, Lie Down, Revive*, which figured in the recent European film awards, is a remembrance of childhood in a far eastern mining community, as grim as a concentration camp, peopled by thieves, drunks, whores and cretins.

Serik Aprimov's *The Last Stop* records the empty life of a returning soldier who discovers in his native Kazakh village, where drinking and fighting are the only recreations, Igor Alimpiev's *Panzer* chronicles the disorientation of a group of thirtyish Leningraders in the spiritual vacuum of the late Eighties.

Kira Muratova was, in the

past, one of the most banned of Soviet film makers. Even after perestroika her powerful *The Weakness Syndrome* — a feminist view of Soviet confusion and hopelessness — was temporarily prohibited.

This new Russian cinema in some ways takes on the mantle of those 19th-century novelists who set out to diagnose the sickness of their age. Meanwhile those writers themselves are proving their relevance to new times and new societies.

Two Indian entries in Rotterdam both claim Russian sources. Mani Kaul's *Nazar* is a heavy-handed adaptation of a Dostoevsky story (once better adapted by Robert Bresson as *Une Femme Douce*) about the tragic unspoken misery of an ill-matched marriage. Kamur Shahani's *Kasha*, however, is a highly successful transposition of Chekhov's *The Ravine*, about the mutual destruction of an incestuously corrupt business family. European untrained, Shahani combines the best of both traditions, with a finely narrated and characterised story, conditioned by the awesome landscapes of the Kangra Valley.

This is the twentieth Rotterdam Festival. Its aim has always been to foster "young" cinema: films, according to the new director Marco Müller, which "express an

urgency and relevance in reaction to an endemic lack of tension and enthusiasm".

In the present world climate, "urgency and relevance" leave little scope for optimism and high spirits. The overall pessimism which characterises these Russian and Indian films is detectable in much else in the festival.

A promising Dutch debut, Ben van Lieshout's *Passengers*, depicts life in a new housing estate in terms as desolate as the fringes of the Soviet empire. Abbas Kiarostami's *Homework*, a thoughtful Iranian documentary, shows the educational machinery which can turn gentle little boys into warriors for Islam.

What is the most optimistic film of the festival comes from the far side of the world. *Tinipis Run* is only the second feature to emerge from Papua New Guinea, and is a confident debut for its director, Pengu Nengo. *Tinipis* is a battered taxi, operated by an old tribal chief and a modern young tearaway. This world, where tribal wars and freight trucks compete for motorway space, generates a lot of rich comedy and a moral that western societies might adopt with benefit.

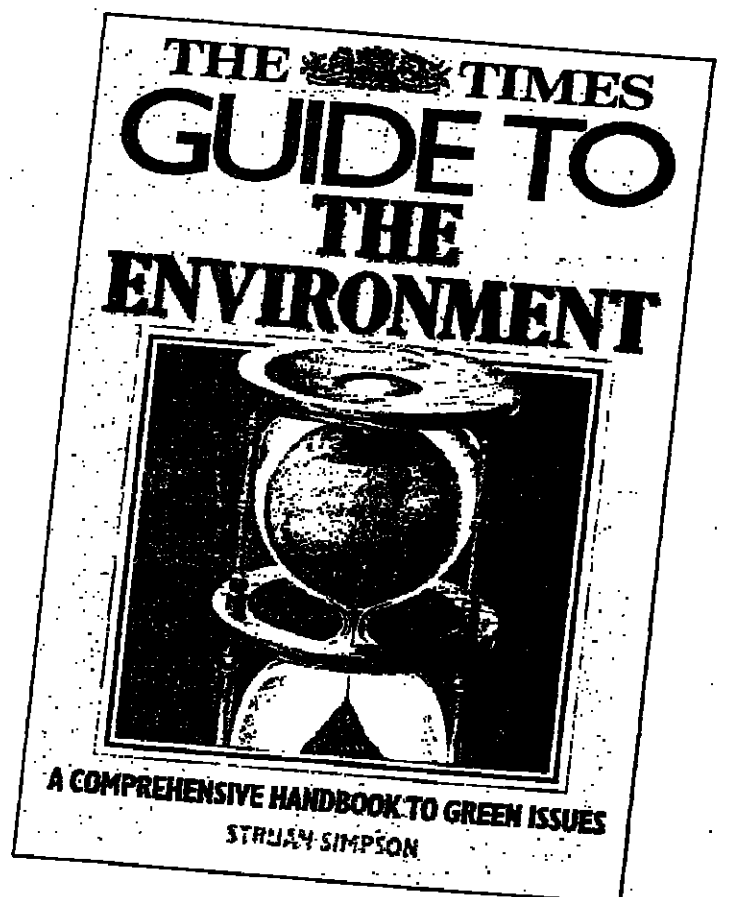
During the festival, the public votes daily on the popularity of the films, and it is somehow touching that the runaway favourite with a public mostly under 30 years old is a 62-year-old silent film just rediscovered by the Dutch Film Archive. Frank Borzage's *Lucky Star* was one of the films that somehow was lost in the transition from silent to sound pictures. Today it looks astonishingly modern, almost dispensing with narrative, relying on subtle interplay of sentiment.

The story is a simple but eloquent account of the love of a man, who returns crippled from the first world war, and a gauche farm girl. The couple are played by one of the great romantic duos of the period, Janet Gaynor and Charles Farrell. Not a little of the film's startling impact on the audience was due to a magisterial musical accompaniment by the British one-man band, Adrian Johnston.

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# Good book, not a lot of play

## THEATRE

### The Gospels Citizens, Glasgow

TO OPEN his spring season, the Citizens' director Giles Haverall has gone back to basics, to "two boards and a passion". Six talented actors in everyday clothes sit on grey chairs on a bare, white stage, and repeat the words of the gospels (King James version, thank goodness). Behind them is a black-and-white map of the Holy Land to which, like Sunday school teachers, they occasionally point. The Gospels celebrates the words of the Authorised Version without spending any time on such treacherous matters as interpretation, possible contradiction, contemporary relevance or even dramatisation.

Yet the evening does offer the complete Scottish sabbath experience. The audience act as a congregation who yawn, smile, mouth the words, whisper, doze, gaze fixedly or beautifully into space, or surreptitiously eat sweets. The only elements missing were scores, and the traditional Scottish church sound of loose peppermints rattling to the floor. And like most congregations, the audience let the words of the Gospels wash over them. Only the harsh strictures on adultery and divorce, short of their usual



Anne Myatt, Alastair Galbraith, Sandy Welch, Debra Gillett and Tristram Wymark in *The Gospels*

re-interpretation "for today", seemed to cause much of a frisson. As one might expect of a production of such studied simplicity, it was the more intimate human moments, such as Christ sharing a meal round the fire with his disciples, which made most impact. Staging the Crucifixion on stacking chairs does not make for maximum emotional intensity.

Debra Gillett was delightful throughout, unexpectedly and refreshingly bringing a vampish

touch to the evening. She and Alastair Galbraith were particularly good as the proud mother and slightly bashful son at the wedding feast at Cana. Sandy Welch contributed a superb feel of sermonising which encapsulated almost everything Christ is recorded as having said. Anne Myatt and Patrick Hannaway least gravitas to the events, while Tristram Wymark was a fiery John the Baptist and a haunted Judas.

Given the curious absence of design, and indeed drama, one can

only guess at the theatrical purpose of the evening. The Apocryphal, or Koran would at least have had scenery value. Haverall's passion for the words does shine through, yet he does little with them. Bernard Shaw was fond of comparing the entertainment value of a church service unfavourably with that of an average theatre production. *The Gospels* serves only to prove Shaw wrong.

ALASDAIR CAMERON

## THEATRE

### Tatyana Nottingham Playhouse

IN APRIL *Carmen Jones* reaches the London stage. *Figaro and Don Giovanni* have recently undergone successful metamorphoses into musicals. Now it is Tchaikovsky's turn.

Nottingham Playhouse is presenting *Eugene Onegin* (here spelt *Onyegin*) - the musical. Re-titled for the opera's heroine whose character the composer so loved, Christopher Webber's adaptation is accompanied by piano and woodwind. Derek Barnes's arrangement brings out the wistful plangency of those descending melodic phrases that evoke the bitterness of this story's yearning and cross-purposes.

If the music goes surprisingly well as a series of melting tunes, the drama is stranded high and dry. Pushkin's "lyric scenes" are essentially gentle and domestic; the country house party, the duel and the Moscow ball are incidental to self-absorbed musings. Pip Broughton's production more or less observes the period of the 1880s, no social or national transposing - but the result is sometimes disjointed, broken backed and unclear (a wordless dream sequence in which Tatyana forces the death of Lensky is merely baffling).

Between musical highlights, characters narrate and comment, sometimes in the words of Pushkin's own gloss on his characters.

We are reminded that the bereaved Olga was soon consoled by marriage to a gallant officer, and the gap between the duel and that glittering ball, years later, is explained by an account of Tatyana's arrival and success in the Moscow marriage market.

While the plot's outlines are filled in, the characters remain hazy, as if the actors and singers are unsure of what convention to adopt. Attention focuses on Josie Lawrence, something of a cult figure from Channel 4's *Whose Line Is It Anyway?* Her gifts for pastiche may take in gospel, calypso and American musical, but do not extend to 19th-century Romantic opera. The voice is small and occasionally wavery. Her immense comic talents are untapped, though there is one unforgettable moment after Onyegin has rebuffed Tatyana, the Byronic dandy rejecting her outpouring of love. Tatyana stands alone, struggling bravely to smile, ruefully listening to the off-stage harpers before giving way to humiliated grief.

The evening's best singing comes from Andrew Forbes-Lane whose clear, evenly produced tenor and impeccable diction make Lensky's aria the show's highlight. Anetina Huw's light baritone has the right incisive edge for Onyegin. Gary Lyons sounds authentically Gallic in Triquet's couplets, and Christopher Webber, the adaptor, is a firm-voiced Zaryetsky, though less happy when rumbling out Prince Gremin's low-lying phrases in a Beatie wig.

MARTIN HOYLE

## CONCERT

### Higglety Pigglety Pop! Barbican

FABLES of childhood, stories of growing up, form a fascinating operatic genre, particularly in the period from the 1890s to the 1920s, when *Hansel and Gretel*, *The Nightingale*, *The Cunning Little Vixen* and *L'enfant et les sortilèges* all saw the light of star-studded evening. Oliver Knussen's two pieces based on Maurice Sendak books, *Where the Wild Things Are* and *Higglety Pigglety Pop!*, are obviously charmed by this history, for although Knussen has drawn a nice distinction between them, saying that *Wild Things* is a homage to the music he loved as a child whereas *Higglety* embodies the music he dreamt as a child, they both emulate the wonder and the miniaturised fantasias of their predecessors.

They are both, too, tales of innocence gaining experience, with the alarming difference that the central character of *Higglety*, the Sealymon dog Jenne, uses experience not in order to learn but to escape, to become the star of her own show in a never-never land. One must wonder whether Knussen similarly is not using his formidable musical experience and technique to create a weightless fantasy, an often charming and sometimes bewilderingly beautiful musical toy.

The score is full of treats: tiny, fastidiously worked orchestral interludes, a tumble of musical

boxes echoed later by a similarly kaleidoscopic assembly of Mozart's to suggest an overture for Jenne's show, textures of busy detail but light as fluff galaxies of notes lavished on representations of a summoning bell. All these were beautifully played by the London Symphony Orchestra under the direction of the composer, but an hour is a long time to be enjoying the marvels of a musical Fabergé, without the abundant sharp characters Ravel and Janáček brought to their childhood operas. Hugh Hetherington's Cat and Andrew Callacher's Pig were handicapped by their masks, but their music itself conveys more effort than achievement, and the use of a high soprano for three roles (Eileen Hulse in sparkling voice) leaves crucial points of wit and plot unregistered.

There is thus rather little to counter Jenne's sugar-sweet cuddly winsomeness, though this does provide the opportunity for a remarkable performance from Cynthia Buchan, singing with a glowing tone of melting regret, and making every word audible. She was wonderful when the work was first staged by Glyndebourne, six years ago, she was wonderful again in this concert-platform restaging by Christopher Newell in the same costumes.

Since the Glyndebourne performances, Knussen has been revising and slightly extending the score: one must hope that now, after a dozen years devoted to these Sendak pieces, he can move on to something else.

PAUL GRIFFITHS

## ROCK

### The Joe Ely Band Town and Country

MOST rock bands set out with a loud guitar and a backbeat, and add roots (usually blues) to taste. Joe Ely has gone about it the other way round. As a member of the Texas trio the Flatlanders, he began his career as an orthodox country singer. Over the years he has clutched to key elements of that tradition while gravitating towards an ever harder, guitar-orientated sound; his current backing band could now fairly be described as the first bona-fide country power trio.

This barnstorming show was a fitting finale to a British visit that has seen Ely's profile rise with satisfying rapidity. On his last sortie here in 1988, he played at the considerably smaller Mean Fiddler. Leaving behind the bar-band ambience, the group tackled a wide variety of material - much of it taken from the current album *Live at Liberty Lunch* - with feeling, precision and not a little bravado.

Ely, who celebrates his 44th birthday this week, is not one of rock's Peter Pan tendencies, and he cut a rather stiff and spindly figure in black jeans, modest quiff, outside belt buckle and free-flowing, curtain-material shirt. But commitment and experience have made him a wily performer

with an authentic voice, tuned to his audience's needs, and with the repertoire for the job.

The pivotal contribution to the musical mood was that of guitarist David Grissom, a rangy, snake-hipped youth from Austin, with an astounding technique and no doubts concerning the proper use of the volume control. His hot-valve tone and drawled way with a fiddle were often redolent of his fellow Texan, the great Billy Gibbons of ZZ Top. Grissom's outstanding throughout, especially so on "Letter to L.A.", a languorous, bluesy tune of force that clearly lifted the capacity and boozed-up crowd by the scruff of its neck.

Ely has made no secret of the fact that he has allowed this band's

style to develop around Grissom's heavy rock approach, but the country lifeblood still flowed clear and strong in much of the material, notably Jimmie Gilmore's "Dallas", which was given a languid, deep-fried boogie feel, and Butch Hancock's "Row of Dominoes". The steady drift into hard-rock territory was thus balanced by excursions back to the Southern borderlands, as in the Tex-Mex feel of "Behind the Bamboo Shade" and "She Never Spoke a Word to Me".

Even so, Ely is now far too much of a rock performer to let his country deahards over to accept him back. That is their loss and rock music's gain.

DAVID SINCLAIR

## NEW RELEASES

**DADDY'S DYN** (12) Family, suspense, drama in Texas, starring performance by Tim Allen. Directed by John Dahl. Cannon Cinema (071 352 5085).  
**THE GRIFTERS** (18) Stephen Frears' 1990 version of Jim Thompson's 1946 novel. Directed by John Dahl. Cannon Cinema (071 352 5085).  
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## CURRENT

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## TODAY'S EVENTS

**THE GRIFTERS** (18) Stephen Frears' 1990 version of Jim Thompson's 1946 novel. Directed by John Dahl. Cannon Cinema (071 352 5085).  
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## WORD-WATCHING

Answers from page 20

TEG

(b) A sheep (or, obsolete, a doe) in its second year, also, perhaps, a young male lamb until right months old, after which they are called ewe and wether until once clipped. The vocabulary of shepherding is peculiar and excessively regional.

BURDLY

(c) Scottish dialect for stalwart, large and well-made, possibly a corruption of *burly*. "Rose up, rise up, my burly bride, the guests are at the door."

EXENTERATE

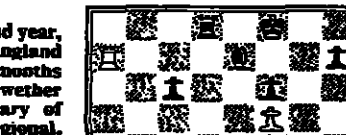
(c) To disembowel, noun *exenteration*, from the Greek *ex* + *enteron* intestine: "They went into a poor woman's house and bought a hen, and made the woman exenterate it."

TRUCHMAN

(b) An interpreter, plural either *truchmen* or *truchmans*, from the Arabic *truchman*: "He is a truchman that interprets between learned writers and gentle readers on the page, as the Calatene truchmans do in their great deserts."

## WINNING MOVE

By Raymond Keene, Chess Correspondent



White to move. What is the winning move?

ANSWER: 1. e6. This move wins the queen and the game.

1... fxe6 2. d7. This move wins the king and the game.

2... Kf7 3. d8=Q. This move wins the game.

3... Kf6 4. d7. This move wins the game.

4... Kf5 5. d6. This move wins the game.

5... Kf4 6. d5. This move wins the game.

6... Kf3 7. d4. This move wins the game.

7... Kf2 8. d3. This move wins the game.

8... Kf1 9. d2. This move wins the game.

9... Kf0 10. d1. This move wins the game.

10... Kf-1 11. d0. This move wins the game.

11... Kf-2 12. d-1. This move wins the game.

12... Kf-3 13. d-2. This move wins the game.

13... Kf-4 14. d-3. This move wins the game.

14... Kf-5 15. d-4. This move wins the game.

15... Kf-6 16. d-5. This move wins the game.

16... Kf-7 17. d-6. This move wins the game.

17... Kf-8 18. d-7. This move wins the game.

18... Kf-9 19. d-8. This move wins the game.

19... Kf-10 20. d-9. This move wins the game.

20... Kf-11 21. d-10. This move wins the game.

21... Kf-12 22. d-11. This move wins the game.

22... Kf-13 23. d-12. This move wins the game.

23... Kf-14 24. d-13. This move wins the game.

24... Kf-15 25. d-14. This move wins the game.

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By William Shakespeare

Directed by Peter Hall

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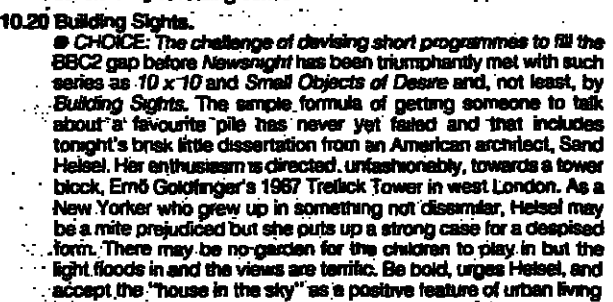
**6.00** Ceebees  
**6.30** BBC Breakfast News with Nicholas Witchell and Laurie Meyer  
**9.15** Killy. Robert Killy-Silk chairs a discussion on old people's homes. 9.55 Regional News and weather  
**10.00** News. 10.05 Playdays. With Dave Benson Phillips  
**10.30** Brainwave. From Liverpool Andy Gray hosts another round of the quiz 10.50 Dash of the Day. Culinary quiz from Birmingham  
**11.00** News. regional news and weather. 11.05 People Today with Adrian Mills and David Jones. Includes Health UK in which Marilyn Lewis investigates food additives. There is also advice for parents with children who do not sleep at night  
**12.00** News, regional news and weather. 12.05 Rosemary Conley's Diet and Fitness Club. Keep fit exercises. 12.20 Sports Today. The daily entertainment show from Pebble Mill presented by Judi Spiers and Tim Grundy. 12.55 Regional News and weather  
**1.00** One O'Clock News with Philip Hayton. Weather  
**1.30** Neighbours. (Continued) 1.50 Going for Gold. Quiz show with European contestants hosted by Henry Kelly  
**2.15** Snooker. Tony Gibbs presents action from the second round of the Benson and Hedges Masters tournament. A best-of-nine frames match between Dean Reynolds and Tony Alex. Northern Ireland. Open House 3.00 Snooker  
**3.50** Bites. Carlin Easterby and Simon Preece with ideas on recycling household junk. 4.05 Holly Wolf. Cartoon (14-15 Jackson). Jane Asher with part two of George and the Dragon. The Pevensie and the Goblin. 4.25 Quick Draw. Cartoon. 4.35 The Family Wild. Roadshow. From Whipsnade Wild Animal Park and Newbury. (Continued)  
**5.00** Newsround. 5.05 Grange Hill. Episode nine of the 20-part drama series set in a London secondary school. (Continued)  
**5.35** Neighbours. (1) (Continued) Northern Ireland. Sportsweek 5.40 Inside Life  
**6.00** Six O'Clock News with Peter Sissons and Anne Ford. Weather  
**6.35** Regional News. Northern Ireland. Neighbours  
**7.00** Holiday 91. Disabled reporter Martin Duffy flies to the United States to take a look at holiday facilities for the disabled in Florida. Plus a feature on the island of Bali and its neighbour Lombok, two of the most beautiful places on earth. How long can they remain unspoiled by tourists? And Bill Buckley visits the Isles of Solihy. (Continued)  
**7.30** EastEnders. Soap about the residents of a London square. (Continued)  
**8.00** The Variety Club. A special for 1990. It is the black-elephant season for the entertainment industry, and who better to remember a few years than Terry Wogan? He introduces the great sponsors of the Variety Club's annual show business awards from the London Hilton on Park Lane. Chief Barker Mel Sinclair presents awards to the outstanding performers of 1990 in stage, film, radio and television. (Continued)  
**9.00** Nine O'Clock News with Marilyn Lewis. (Continued) Regional news and weather



Searching for designer drugs: Julie Peasegood (8.30pm)

**9.30** Spender. Jimmy Nail as the scruffy George Spender, in the excellent new crime series created by Neil and Ian La Fontaine. In tonight's La Fontaine story designer drugs come to the north and Spender links up with the drug squad to find the source. Working with Booney (Julie Peasegood), another undercover detective, he digs up a link with the local police and manages to set up a meeting with a distributor. (Continued) Wales: Week in Week Out. 10.00-10.05 Spender  
**10.25** Film 91 with Barry Norman who gives his verdict on Danes with Wolves, an epic about the destruction of the American Indian directed by and starring Kevin Costner. Steve Guttenberg, Tom Selleck and Ted Danson also get the Norman treatment with their reunion in Three Men and a Little Lady, the sequel to Three Men and a Cradle. Plus a report on the work of a casting director, concentrating on The Mirror, directed by Neil Jordan and starring Beverly D'Angelo  
**10.55** Snooker. Tony Gibbs introduces highlights of the Benson and Hedges Masters from the Highbury Conference Centre. Northern Ireland. Open House 11.40 Snooker  
**12.00** News and weather. Ends at 12.25. Wales: Film 91 12.40 News and weather

**8.00** News. 8.15 Westminster. A round-up of business from the Lords and the Commons  
**9.00** Daytime on Two. For teachers of pupils with special needs. 9.30 GCSE. German. 9.45 A visit to the life of Rhum, owned by the Nature Conservancy. 10.00 For the very young 10.15 Learning to read. 10.40 A child's guide to adults. 1.10 Village and Living. 1.15 Village life in the mountains of Georgia. 1.35 Science series for seven to nine-year-olds. 11.55 Music. Using the voice of a young person. 12.15 What today's Euro-tourists have learnt from the Brunei 12.35 French for beginners. 12.55 Effective communication. 1.30 Mr. Bean. 1.40 The life of a young star, working in the theatre. 1.50 News and weather followed by You and Me. (1) 2.15 In the Garden. David Cornish with tasks to do in February. 2.30 A Day in the Life Of... A typical day in the routine of Terry Clout, an English footballer. (1) 2.35 Sea Heart (1)  
**3.00** News and weather followed by Westminster Live. 3.50 News, regional news and weather  
**4.00** Snooker. Further coverage of the Benson and Hedges Masters at the Wembley Conference Centre  
**5.00** News followed by Advice Shop. Helpful tips for users of welfare and public services. 5.30 Gardens by Design. David Stevens continues his look at transformations of the 'teen outdoors' (1) (Continued)  
**6.00** Film: The Bell Boy (1980, b/w). Jerry Lewis stars and makes his directorial debut in this film about the antics of bell boys at a luxury hotel in Miami. Good visual jokes help to compensate for the lack of plot  
**7.10** Cricket: Fifth Test. Highlights of the fourth day's play in the match between Australia and England in Perth  
**7.40** Black Britain: Here To Stay. Last programme in the revealing series about the history of Britain's African and Caribbean communities  
**8.30** Food and Drink. Includes an examination of the best low-fat spreads, in terms of taste, health and value for money  
**9.00** Twin Peaks. Even the most committed fans are admitting that the official line is an understatement: the show is a mess. But what if it's not? What if it's a masterpiece? David Stevens looks at the show's creator, David Lynch, and his latest work, Twin Peaks. (Continued)  
**9.50** Culloden: On The Edge  
**10.00** CHOICE: The latest report from the east London primary school finds the staff once again involved in matters which have nothing to do with the school. David Stevens looks at the school's head, Mrs. Smith, and her latest work, a play about the school's history. (Continued)  
**10.20** Building Signs  
**10.30** CHOICE: The challenge of devising short programmes to fill the BBC's gap between news and entertainment. David Stevens looks at the series as 10 x 10 and Small Objects of Desire and, not least, by Building Signs. The simple formula of getting someone to talk about a favourite 'pile' has never yet failed and that includes tonight's first little dissertation from an American architect, Sand Heisel. Her enthusiasm is directed, unfortunately, towards a tower block, Erno Goldfinger's 1957 Trellick Tower in west London. As a New Yorker who grew up in something not dissimilar, Heisel may be a little prejudiced but she has a strong case for a closer look. There may be no garden for the children to play in but the light floods in and the views are terrific. Bad, ugly, Heisel, and accept the 'house in the sky' as a positive feature of urban living



Enthusiasm for a tower block: architect Sand Heisel (10.20pm)

**10.30** Newsnight with Peter Snow  
**11.20** The Late Show with a film from Latvia by Kees Ruismanis. 11.55 Weather  
**12.00** Open University. Fifth century Athens. Ends at 12.35am

**6.00** TV-am presented by Mike Morris and from 7.00, by Mike Morris and Lorraine Kelly. Includes the latest news and comment on the war in the Gulf. With reports from correspondents in Saudi Arabia, Israel, Bahrain and Washington. At 8.35, in the Doc Spot, Dr Henry Jones discusses female health problems. 9.00 After Nine introduced by Kathy Taylor  
**9.25** TM. (Continued) News Report. 9.55 Themes News and weather  
**10.00** The Time... This Place... Anne Soubry hosts the travelling discussion show  
**10.40** This Morning. Family magazine series presented by Judy Finnigan and Richard Madeley  
**12.05** Rod, Jane and Freddy. For the very young 12.25 Themes News and weather  
**12.30** News and weather  
**1.20** Home and Away. 1.50 A Country Practice  
**2.20** Take The Fifth Road. Soap set in the Scottish Highlands. 2.50 Give Us A Chance. Michael Parkinson chairs another round of celebrity chat  
**3.15** Gulf News Report. 3.20 Themes News headlines. 3.25 Families. 3.55 Josie Smith and the Princess. 4.05 The Return of Dogtanian. Animated swashbuckling adventures. 4.30 All Change. The return of the comedy drama about warring families from different parts of the country who have to run a business together in order to inherit £1 million. Starring Patrick Howard and Peggy Mount  
**5.00** Home and Away (1)  
**5.25** Themes. Film. Jackie Spredley with news of sheltered housing for the elderly  
**5.30** News (Oracle) and weather  
**6.00** Bookbusters  
**6.30** Themes News and weather  
**7.00** Emeralds. Rural soap. (Oracle)  
**7.30** Themes. The Yardies Are Here. Bill Wignmore reports on the Jamaican drug gangs that are moving across the Atlantic in search of higher profits in London  
**8.00** Gulf News Report  
**8.05** The Bill: Start to Finish. Tom Perry, now working as a security officer, asks Roach to investigate some cases of petty theft taking place as tourists in the city. A request which puts Roach in a tricky situation. (Oracle)  
**8.35** Strike It Lucky. Quiz game show  
**9.00** E.C.I.D. In the latest case the undermanager of a hotel is suspected of theft and sabotage. Blake and Douglas are hired to investigate and investigate the hotel's undermanager. (Oracle)  
**10.00** News at Ten (Oracle) and weather. 10.45 Themes News and weather



Crippled by food poisoning: a Spanish victim (10.55pm)

**10.55** First Tuesday: Poisoned Lives  
**11.00** CHOICE. It is nearly ten years since the mass food poisoning in Spain in which 25,000 people were taken ill and 700 died. The official verdict blamed the illness on contaminated cooking oil and two of the merchants received long prison sentences. But even at the time there were doubts. It was difficult to explain why some members of a family were affected and not others or why people got ill who had not consumed the oil. The painstaking construction of the episode does not claim to have come up with a definite answer, although it does seem to be a more likely culprit. But the film suggests that the government was under pressure to come up with an answer that it was not prepared to look at alternative theories and 'real' doctors were dismissed from their jobs. It also highlights the denial of proper treatment to the victims, many of whom have been left severely disabled. (Oracle)  
**11.55** Gulf News Report  
**12.00** Prisoner. Clock Block H  
**12.05** This Week - 35 Years On The Front Line. A selection of stories from the award-winning news series  
**1.30** Video View presented by Mariella Frostrup (1)  
**2.00** World Chess. Raymond Keene, chess correspondent of The Times, analyses the latest game in the Spelman v Short series  
**2.15** How Was It For You? Quiz show hosted by Henry Kelly  
**2.45** Profiles  
**3.00** Music Special. Trumpeter Maynard Ferguson in concert  
**4.00** Entertainment UK. A guide to Britain's entertainment scene  
**5.00** ITN Morning News. Ends at 6.00am

CHANNEL 4

**6.00** The Channel Four Daily including extended news on the Gulf war  
**9.25** Schools  
**12.00** Channel 4 News Summary  
**12.05** The Parliament Programme introduced by Sue Cameron  
**12.30** Business Daily. Financial and business news service  
**1.00** Sesame Street  
**2.00** Film: The Mystery of Edwin Drood (1935, b/w). While Charles Dickens failed to provide a conclusion to his novel, Hollywood had no compunction in supplying one of its own. David Manners stars as Edwin Drood, the young nephew of a drug-addicted choirmaster (Claude Rains), who falls victim to his uncle's depraved jealousy when both men are captivated by the same woman (Heather Angel). Although Dickens' butts might be less than happy with Hollywood's attempts to provide a credible solution to the mystery, the film is an enjoyable affair which contains good performances with a suitably gritty atmosphere. Also stars Valerie Hobson and Douglas Montgomery. Directed by Stuart Walker  
**3.35** B.A.C.H. Animated Hungarian tale  
**3.45** Third Wave. Series for older viewers. André Melly and a studio audience discuss issues raised in previous programmes and, in particular, how provision for the over 55s in the reunited Germany and in the United States might give the British an insight into caring for their elderly. (Teletext)  
**4.30** Countdown. Words and numbers game  
**5.00** Kooksters. A documentary following the attempts of 12-year-old East Enders Philip Gerard to join the Imps motorcycle display team  
**5.30** How Wars End. A.J.P. Taylor continues his series of impromptu lectures by examining the events leading up to VE Day, which brought an end to the war in Europe on May 8, 1945. (Teletext)  
**6.00** Dust. American romantic comedy following the relationship between two single people in Los Angeles. Stars Matthew Laurence and Mary Page Keller  
**6.30** Remote Control. British version of the popular MTV comedy quiz show with an emphasis on fun and happiness  
**7.00** Channel Four News. (Teletext)  
**7.50** Comment followed by Weather  
**8.00** The Secret Life of Machines. The Radio Set. Tim Hunkin presents another entertaining look at an everyday object. He reveals why a radio pops when a light is switched on, how a five pence piece can be turned into a radio receiver and why the inventor of FM radio committed suicide. (Teletext)  
**8.30** The Survival Factor. Tanya Wiltz narrates a fascinating film on the unusual history of the cuckoo, a bird that is often heard but only seldom seen. (Teletext)  
**9.00** Without Walls: Hidden Faces. At a time when the West has been forced to come to terms with a different type of relationship with the Arab world, this programme looks at the lives of contemporary Egyptian women. The film was shot over a five-week period in Cairo, El Mina and the remote village of Hor, and offers a detailed picture of daily family life and traditions in Egypt as well as revealing the women's conflicting attitudes towards men, marriage, virginity and circumcision



Swiss cops: Alexander Radczun and Wolfram Berger (10.00pm)

**10.00** Eurocop: Freedom for King Kong  
**10.05** CHOICE. Switzerland's contribution to the international police series features the eager young Inspector Brodbeck (Wolfram Berger) of the Basle CD. Television cops tend to hunt in pairs and like his counterparts in British police shows Brodbeck has a sidekick, the blond and barking Sergeant Merian (Alexander Radczun). Unlike most British sleuths, both men are married, although Brodbeck is on the verge of a divorce and Merian's wife is making a mysterious visit to Paris with a graffiti artist. In their professional roles, the men are alerted when zoo animals are let loose in the city, apparently by animal rights activists. But this is only the prelude to a case involving a sudden death, cocaine smuggling and a glamorous woman felon. The piece moves rapidly into its stride and if the story eventually becomes rather too involved for its own good an enjoyable learning of humour helps to ease things through. (With English subtitles)  
**11.00** The Oprah Winfrey Show: Sex - All the Answers. June Ransick, director of the Kinsey Institute, offers the studio audience answers to the most frequently asked questions about sex  
**11.50** Channel 4 News - Midnight Special. Ends at 2.00

**ANGLIA**  
As London except 5.00pm-5.30pm Bookbusters 6.00 Home and Away 6.30-7.00 News 7.30-7.50 The Young Doctors 8.00-8.30 The Young Doctors 8.30-9.00 The Young Doctors 9.00-9.30 The Young Doctors 9.30-10.00 The Young Doctors 10.00-10.30 The Young Doctors 10.30-11.00 The Young Doctors 11.00-11.30 The Young Doctors 11.30-12.00 The Young Doctors 12.00-12.30 The Young Doctors 12.30-1.00 The Young Doctors 1.00-1.30 The Young Doctors 1.30-2.00 The Young Doctors 2.00-2.30 The Young Doctors 2.30-3.00 The Young Doctors 3.00-3.30 The Young Doctors 3.30-4.00 The Young Doctors 4.00-4.30 The Young Doctors 4.30-5.00 The Young Doctors 5.00-5.30 The Young Doctors 5.30-6.00 The Young Doctors 6.00-6.30 The Young Doctors 6.30-7.00 The Young Doctors 7.00-7.30 The Young Doctors 7.30-8.00 The Young Doctors 8.00-8.30 The Young Doctors 8.30-9.00 The Young Doctors 9.00-9.30 The Young Doctors 9.30-10.00 The Young Doctors 10.00-10.30 The Young Doctors 10.30-11.00 The Young Doctors 11.00-11.30 The Young Doctors 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# BUSINESS

TUESDAY FEBRUARY 5 1991

● BUSINESS AND FINANCE 21-27  
● LAW 32-33  
● FOCUS: MANAGEMENT BUY-OUTS 28-31  
● SPORT 38-42

Business Editor  
John Bell

## 10,000 opt out of generator flotation

SOME 10,000 people have de-registered from the flotation of the two electricity generators, National Power and PowerGen.

Another 105,000 possible investors have joined the list of those eligible for incentives in the share issue. Advisers to the float cannot say how many of the 10,000 who will not be taking part in the sell-off this time are among the 2,000 investors who are waiting for their money back after the distributors' flotation. The generators will probably attract far fewer applications from the retail investor than the distributors. They are seen as far riskier investments, while the difficulty of obtaining a realistic holding in the distributors is also expected to depress demand. Advisers have said that 250,000 private investors, each putting in £2,000, would be sufficient to satisfy the public portion of the issue. All 7.4 million people on the register for incentives in the distributors' sale were transferred to the equivalent list for the generators.

### P Black review

Peter Black Holdings, the consumer goods manufacturer, is reviewing the future of its home furnishings division because of the downturn in consumer spending. The company has already sold its furniture business and withdrawn from the manufacture of vulcanised footwear.

### Pentland boost

Shares in Pentland Group rose 8p to 62p after it completed its purchase of the Speedo swimwear brand and benefited from a fourth-quarter recovery at Reebok, its American associate.

### Flogas increase

Flogas, the Irish-based supplier of liquid petroleum gas, reported taxable profits up from 1p to 1.02 million (£1.51 million) for the six months to end-November. Earnings were 5.2p (4.55p) a share. The interim dividend is increased to 2.67p (2.54p).

### THE ROUND

US dollar 1.9770 (+0.0005)  
German mark 2.8978 (-0.0032)  
Exchange index 94.3 (-0.1)

### STOCK MARKET

FT 30 Share 1700.6 (+6.6)  
FT-SE 100 2172.4 (+6.7)  
New York Dow Jones 2756.93 (+26.24)  
Tokyo Nikkei Ave 2327.36 (+130.66)  
Closing Prices ... Page 27

### INTEREST RATES

London Bank Base: 14%  
3-month interbank: 12.5-13%  
3-month eligible bills: 13.5-14%  
US: Prime Rate 9%  
Federal Funds 6.5%  
3-month Treasury Bills 5.95-5.95%  
30-year bonds 10.7-10.7%  
10-year 10.7%

### CURRENCIES

London: New York  
C: \$1.9770 C: \$1.9770  
C: DM2.8978 C: DM2.8978  
C: Sfr2.51 C: Sfr2.51  
C: FF9.36 C: FF9.36  
C: Yen254.48 C: Yen254.48  
C: Index94.3 C: Index94.3  
C: ECU1.0706 C: ECU1.0706  
C: ECU1.0706 C: ECU1.0706

### GOLD

London Paving:  
AM \$367.00 pm \$367.15  
close \$367.70-368.20 (£188.00-188.50)  
New York:  
Comex \$367.75-368.25

### NORTH SEA OIL

Brut (Mar) \$19.75 bbl (\$20.00)  
Dencies latest trading price

### TOURIST RATES

| Bank            | Bank   |        |
|-----------------|--------|--------|
| Australia \$    | 2.55   | 2.47   |
| Austria S       | 13.76  | 13.76  |
| Belgium F       | 60.0   | 59.3   |
| Canada C        | 2.31   | 2.29   |
| Denmark K       | 11.20  | 11.11  |
| Finland Mk      | 7.13   | 7.04   |
| France F        | 9.85   | 9.82   |
| Germany Dm      | 2.51   | 2.51   |
| Greece Dr       | 335    | 315    |
| Hong Kong \$    | 15.45  | 15.3   |
| Italy Lit       | 2.105  | 2.105  |
| Japan Yen       | 254.48 | 254.48 |
| Netherlands Gld | 11.40  | 11.31  |
| Norway Kr       | 259    | 259    |
| Portugal Esc    | 200    | 200    |
| South Africa R  | 6.50   | 6.50   |
| Spain Ptas      | 166.64 | 166.64 |
| Sweden Kr       | 10.36  | 10.36  |
| Switzerland Sfr | 2.51   | 2.51   |
| Turkey Lira     | 1.80   | 1.80   |
| USA \$          | 1.9770 | 1.9770 |
| Yugoslavia Dn   | 137.00 | 137.00 |

## Next loses millions on Grattan sale to Otto-Versand



Next's sale: Peter Lomas, finance director, and David Jones

By WOLFGANG MÜNCHAU

NEXT, the fashion store group, is selling its Grattan mail order company to Otto-Versand, the world's largest mail order group, for £140 million. The sale is likely to open up the British mail order industry to aggressive competition. The £140 million price tag on Grattan stands against a book value of £228 million, and against the £299 million Next paid for Grattan in 1986. Like most retailers, Next has been hit hard by the recession, and the deal comes as part of a wider package aimed at improving the company's financial position. The management is to

scrap the dividend for the financial year to end-January, amid expectations in the City that Next made only a small profit last year.

The sale, if approved by shareholders, raises hopes that Next will be able to meet a liability of £163 million, payable to convertible bond holders next year, without having to seek a special refinancing package from its banks.

Next is also seeking a £50 million facility from its banks to meet working capital requirements, and has agreed to make a provision of more than £21 million against Club 24, the short-term credit arm, to which it will reduce its exposure after an increase in bad debts. Next

shares fell 2 1/2p to close at 17p.

Paul Deacon of Goldman Sachs, the American investment bank, said: "It is almost irrelevant whether it is a good price or not. They simply had no other choice. And Grattan was the most obvious business to sell." Grattan, Next's most profitable business, had operating profits of £13.7 million in its last financial year.

Detlev von Livonius, a spokesman for the Hamburg-based Otto, said the privately owned company had been interested in Britain for many years and the deal presented a good opportunity to enter what he called "one of the three great mail order markets in the world".

Otto already operates Rainbow Home Shopping, a specialist mail order company, in Britain. Fine Art Developments has a 40 per cent stake in RHS. RHS will be integrated into Grattan, giving Fine Art a 15 per cent stake in the whole company.

Herr von Livonius said Grattan, Britain's fourth largest mail order group with 11 per cent of the market, would be taken upmarket.

David Jones, chief executive of Next, said: "I believe the UK mail order industry requires a shake-up. Grattan is an ideal choice for Otto to make this shake-up."

There will be no staff cuts as a result of the takeover.

## Neglecting mark stability could lead to EMS collapse, says Pöhl

# Central banks move in to support dollar

By COLIN NARBROUGH IN LONDON AND ANATOLE KALETSKY IN DAVOS

THE dollar plummeted to a record low of DM1.4565 against the mark, prompting the Federal Reserve Board to spearhead intervention by leading central banks on both sides of the Atlantic to halt the slide.

As the foreign exchange markets fully took on board Friday's half-point cut in the American discount rate, the day after the Bundesbank tightened its lending rates, the dollar was pushed down through the previous traded low of DM1.463 reached on December 10.

Speculation that interest rates could move still lower in America added to pressure on the dollar, as did remarks by Karl Otto Pöhl, the Bundesbank president. He said neglecting mark stability could lead to the collapse of the European Monetary System.

The central banks' support came when the currency was at about DM1.4590. The action allowed the unit to recover by about a penny late in the European trading day.

All G7 banks, apart from Japan, helped to support the dollar by buying Belgium and Austria also intervened.

Switzerland was virtually unchanged at the close against the dollar at \$1.9770, but remained the weakest currency in the exchange rate mechanism at DM2.8973, down a quarter of a penny from Friday, ruling out any monetary easing. On its trade-weighted index, sterling fell 0.1 to finish at 94.3. At the London close, the dollar stood at DM1.4655, compared with DM1.4670.

Remarks by Herr Pöhl were seen to underline that the Bundesbank is determined to pursue mark stability.

He acknowledged that the rise in German rates would have a significant effect on monetary conditions in other European countries, but added he would resist any attempts by other countries to influence the Bundesbank's policies. Other countries could hope to share monetary decision-making with Germany only if they were prepared to transfer the full responsibility for their own monetary decisions to a new European central bank.

Herr Pöhl told the World Economic Forum in Davos that he knew "very well that some people did not like the Bundesbank's action". But countries which placed their currencies in the exchange rate mechanism did so with the intention of gaining from the stability of the mark.

Germany was willing to hand over control of its domestic policy to a supranational body but only on condition that this body's independence and anti-inflationary credibility were as strong as the Bundesbank's.

The debate over the structure and use of the European Currency Unit (ecu) was an irrelevant side issue and did not matter whether the European community had a single currency or a common currency, and there was certainly no need for any new currency, he said, apparently referring to the British proposal for a "hard ecu".

House budget director, blamed this mainly on an \$87 billion revenue shortfall and a \$105 billion increase in estimates for rescuing banks and savings and loan institutions. The deficit includes \$30 billion for the Gulf war though this could be higher.

Mr Darman forecast a 1992 budget deficit of \$280.9 billion and a budget marginally in surplus by 1996, assuming that the recession would be short and the war's costs and duration limited.

The proposed 1992 budget contains small increases in spending on education, space, research and development and transport infrastructure, but no major spending initiatives to ease the recession and no new tax increases. The administration hopes to save \$46.6 billion over five years by cutting programmes such as Medicare and farm subsidies.

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Points to ponder: Karl Otto Pöhl at the World Economic Forum in Davos yesterday

## Gatt settlement 'soon'

From OUR ECONOMICS EDITOR IN DAVOS

A SETTLEMENT of the outstanding disputes in the Uruguay round of international trade talks is likely to be reached soon, and a new trade agreement will probably be signed before the end of the year.

This was the impression gained by delegates at the World Economic Forum in Davos, after yesterday's appearance by Arthur Dunkel, director-general of the General Agreement on Tariffs and Trade (GATT).

Mr Dunkel said negotiations on a new trade round, which stalled in Brussels in December, were again gaining momentum, and that a determination to solve all the problems now existed "at the highest levels in national capitals".

In background conversations, European and American officials went further, indicating that agricultural reforms being considered by the European Community would probably produce a breakthrough soon.

Raymond Barre, the former French prime minister, said on Sunday that a private meeting over the weekend had produced "some news which gave us hope of a resolution of Gatt negotiations in the next few months". Mr Dunkel repeated this yesterday. "My consultations in recent weeks have convinced me that the consensus in favour of a successful conclusion of the round remains intact. I have good reason to believe that governments are preparing for the challenge," he said.

While either M. Barre nor

Mr Dunkel would be specific about the precise nature of the breakthrough, one trade official said the atmosphere had improved. On the American side, "artificial deadlines were evaporating", with President Bush making it clear he would press Congress to extend the March 1 cut-off date for a Gatt agreement.

On the European side, proposed reforms in the common agricultural policy were being taken very seriously by Gatt officials and negotiators from America and the Cairns

Group of agricultural exporting countries. American officials in Washington have indicated that the congressional deadline for Gatt ratification would almost certainly be extended for two years, provided Carla Hills, the chief American trade negotiator, could report back with evidence of concessions on agriculture from Europe and Japan. There now appeared to be a possibility that this might happen even before the expiry of America's present trade legislation on March 1.

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## Car firms confirm backing Continental

By OUR EUROPEAN BUSINESS CORRESPONDENT

GERMANY'S largest car-makers have confirmed that they are part of a share support operation aimed at helping Continental, the German tyre company, fight off a merger proposal by Pirelli, its Italian rival.

Daimler-Benz and BMW said they owned stakes, while Volkswagen announced that it has no shares at present, but intends to build up a stake. The companies were not prepared to give precise figures, but it is understood that the shareholdings range between 1 and 5 per cent. No Continental shareholder at present owns more than 5 per cent because of a restriction limiting voting rights to this level, irrespective of shareholdings.

The German car companies are part of a wider group of blue chip German investors, who have pledged their support to Continental's management, which has firmly rejected the Pirelli proposal.

Leopoldo Pirelli, the chairman, has pledged to continue his efforts to merge the two companies. He still claims that he has the support of more than 50 per cent of Continental shareholders, which would be sufficient to overturn the 5 per cent voting restriction. This would allow Pirelli to build a stake, or to launch an outright bid.

In a letter to shareholders Signor Pirelli wrote: "Our proposal as well as our attitude has been friendly throughout this period. From the beginning our aim has been to enter into a constructive partnership and we have never considered Continental as an adversary to be defeated."

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**By OUR CITY STAFF**

**MAJOR CHANGES**  
**RISES:**  
 Standard Chartered ... 232½p (+9p)

The judge gave no indication when he would give judgment.

**'Fair price': Matthews, left, and Beazer, who sold US plant to Blue Circle for \$60m**

**By PHILIP PANGALOS**

£3.5 million. Most shares are being subscribed for by its three existing institutional holders,

This is Granville's first capital raising since 1981. The

Its Spanish branch has raised an Ecu30 million (£21.2 million) venture capital fund.

**FROM PETER GUILFORD  
IN BRUSSELS**

**Aérospatiale of France and Casa of Spain, that make up Airbus Industrie.**

**WILLIAM** Cook, the steel foundry company, is reviewing its £36 million hostile takeover bid for Telfos Holdings and has withdrawn an offer to Edward Duke, former joint managing director of the railway engineering group, to join its board.

that the system will be used to refurbish the control and instrumentation systems of up to four of the first

Santander has been helped by increased competition between Spanish banks, after it pioneered high-interest current accounts in 1989. The bank increased its market share from 3.51 to 5.25 per cent in the year.

|                                 |               |               |               |
|---------------------------------|---------------|---------------|---------------|
| New Zealand dollar              | 3.2788-3.2840 | Japan         | 131.25-131.37 |
| Saudi Arabia riyal              | n/a           | Italy         | 1104.5-1105.5 |
| Singapore dollar                | 3.3576-3.3634 | Belgium (Com) | 30.22-30.27   |
| S Africa rand (Rn)              | 6.3288-6.4353 | Hong Kong     | 7.7950-7.7965 |
| S Africa rand (com)             | 4.9918-5.0200 | Portugal      | 129.50-129.70 |
| U A E dirham                    | n/a           | Spain         | 92.40-92.50   |
| Barclays Bank GT's * Loyds Bank |               | Austria       | 10.32-10.34   |

The success of the government's counter-inflationary squeeze in subduing the consumer was also clear in separate

Lewis's department store chain, is better seen in the quarterly figures.

These showed volume sales in the final

consumer as the recession deepened. Bank credit card lending grew 3 per cent over the same period.

**RISES:**  
Standard Chartered ... 232½p (+)

|                 |               |
|-----------------|---------------|
| W Smith 'A'     | 343p (-1)     |
| Menzees         | 299 1/2p (-3) |
| Jim             | 83 1/2p (-1)  |
| Johnson Corp    | 715p (-2)     |
| Leaves & Newman | 115p (-1)     |
| Closing prices  |               |

|     |     |                   |     |     |      |      |      |     |              |          |    |      |      |     |
|-----|-----|-------------------|-----|-----|------|------|------|-----|--------------|----------|----|------|------|-----|
| 104 | 10  | Anglo Pac Res     | 13  | 18  | -    | 24.2 | 136  | 15  | Horowitz     | 15       | 20 | -    | -    | -   |
| 105 | 8   | Applc Wkst Prods  | 8   | 10  | 0.7  | 7.8  | 4.9  | 118 | 75           | Harrison | 77 | -    | 8.0  | 6.0 |
| 120 | 125 | Applc Helicopters | 150 | 165 | -    | -    | 45   | 23  | Hay & Craft  | 22       | 25 | -    | -    |     |
| 295 | 80  | Ashtrom           | 75  | 85  | 5.0  | 6.3  | 2.8  | 60  | Hillside     | 68       | 75 | -    | -    |     |
| 422 | 85  | Asym Cores        | 80  | 80  | 10.0 | 12.7 | 2.5  | 24  | Hobson       | 7        | 8  | -    | -    |     |
| 428 | 285 | Asym              | 300 | 300 | 5.0  | 1.9  | 16.5 | 125 | Holston Tech | 70       | 80 | 8.0  | 10.7 |     |
| 106 | 10  | Asyst Energy      | 3   | 3   | -    | -    | 8    | 14  | Homenyuk Gp  | 19       | 21 | -    | -    |     |
| 107 | 40  | Asyst Furnace     | 3   | 3   | -    | -    | 24   | 8   | Hood         | 22       | 25 | 10.0 | 4.4  |     |
| 202 | 141 | Asyst Furnace     | 145 | 150 | 4.0  | 2.7  | 17.1 | 30  | Hunting Food | 3        | 5  | -    | -    |     |

|                        |                 |                              |         |           |                     |
|------------------------|-----------------|------------------------------|---------|-----------|---------------------|
| Paris                  | 9.8539-9.8520   | 9.8927-9.8776                | 2½-2½pr | 8½-7½pr   | New Zealand dollar  |
| Singapore              | 10.8470-10.8357 | 10.8470-10.8723              | 1-½pr   | 2½-2pr    | Saudi Arabian riyal |
| Tokyo                  | 259.12-260.14   | 259.32-259.85                | 1½-1½pr | 3½-3½pr   | Singapore dollar    |
| Vienna                 | 20.34-20.43     | 20.36-20.39                  | 7½-7½pr | 21½-19½pr | S Africa rand (fin) |
| Zurich                 | 2.4736-2.4828   | 2.4736-2.4788                | 1½-1pr  | 3½-3½pr   | S Africa rand (com) |
| Source: Exel           |                 | Premium = pr. Discount = ds. |         |           | U A E dirham        |
| <b>MONEY RATES (%)</b> |                 |                              |         |           |                     |
| Barclays Bank GT's *   |                 |                              |         |           |                     |

| 2000 | 1999 | 1998 | 1997 | 1996 | 1995 | 1994 | 1993 | 1992 | 1991 | 1990 | 1989 | 1988 | 1987 | 1986 | 1985 | 1984 | 1983 | 1982 | 1981 | 1980 | 1979 | 1978 | 1977 | 1976 | 1975 | 1974 | 1973 | 1972 | 1971 | 1970 | 1969 | 1968 | 1967 | 1966 | 1965 | 1964 | 1963 | 1962 | 1961 | 1960 | 1959 | 1958 | 1957 | 1956 | 1955 | 1954 | 1953 | 1952 | 1951 | 1950 | 1949 | 1948 | 1947 | 1946 | 1945 | 1944 | 1943 | 1942 | 1941 | 1940 | 1939 | 1938 | 1937 | 1936 | 1935 | 1934 | 1933 | 1932 | 1931 | 1930 | 1929 | 1928 | 1927 | 1926 | 1925 | 1924 | 1923 | 1922 | 1921 | 1920 | 1919 | 1918 | 1917 | 1916 | 1915 | 1914 | 1913 | 1912 | 1911 | 1910 | 1909 | 1908 | 1907 | 1906 | 1905 | 1904 | 1903 | 1902 | 1901 | 1900 | 1899 | 1898 | 1897 | 1896 | 1895 | 1894 | 1893 | 1892 | 1891 | 1890 | 1889 | 1888 | 1887 | 1886 | 1885 | 1884 | 1883 | 1882 | 1881 | 1880 | 1879 | 1878 | 1877 | 1876 | 1875 | 1874 | 1873 | 1872 | 1871 | 1870 | 1869 | 1868 | 1867 | 1866 | 1865 | 1864 | 1863 | 1862 | 1861 | 1860 | 1859 | 1858 | 1857 | 1856 | 1855 | 1854 | 1853 | 1852 | 1851 | 1850 | 1849 | 1848 | 1847 | 1846 | 1845 | 1844 | 1843 | 1842 | 1841 | 1840 | 1839 | 1838 | 1837 | 1836 | 1835 | 1834 | 1833 | 1832 | 1831 | 1830 | 1829 | 1828 | 1827 | 1826 | 1825 | 1824 | 1823 | 1822 | 1821 | 1820 | 1819 | 1818 | 1817 | 1816 | 1815 | 1814 | 1813 | 1812 | 1811 | 1810 | 1809 | 1808 | 1807 | 1806 | 1805 | 1804 | 1803 | 1802 | 1801 | 1800 | 1799 | 1798 | 1797 | 1796 | 1795 | 1794 | 1793 | 1792 | 1791 | 1790 | 1789 | 1788 | 1787 | 1786 | 1785 | 1784 | 1783 | 1782 | 1781 | 1780 | 1779 | 1778 | 1777 | 1776 | 1775 | 1774 | 1773 | 1772 | 1771 | 1770 | 1769 | 1768 | 1767 | 1766 | 1765 | 1764 | 1763 | 1762 | 1761 | 1760 | 1759 | 1758 | 1757 | 1756 | 1755 | 1754 | 1753 | 1752 | 1751 | 1750 | 1749 | 1748 | 1747 | 1746 | 1745 | 1744 | 1743 | 1742 | 1741 | 1740 | 1739 | 1738 | 1737 | 1736 | 1735 | 1734 | 1733 | 1732 | 1731 | 1730 | 1729 | 1728 | 1727 | 1726 | 1725 | 1724 | 1723 | 1722 | 1721 | 1720 | 1719 | 1718 | 1717 | 1716 | 1715 | 1714 | 1713 | 1712 | 1711 | 1710 | 1709 | 1708 | 1707 | 1706 | 1705 | 1704 | 1703 | 1702 | 1701 | 1700 | 1699 | 1698 | 1697 | 1696 | 1695 | 1694 | 1693 | 1692 | 1691 | 1690 | 1689 | 1688 | 1687 | 1686 | 1685 | 1684 | 1683 | 1682 | 1681 | 1680 | 1679 | 1678 | 1677 | 1676 | 1675 | 1674 | 1673 | 1672 | 1671 | 1670 | 1669 | 1668 | 1667 | 1666 | 1665 | 1664 | 1663 | 1662 | 1661 | 1660 | 1659 | 1658 | 1657 | 1656 | 1655 | 1654 | 1653 | 1652 | 1651 | 1650 | 1649 | 1648 | 1647 | 1646 | 1645 | 1644 | 1643 | 1642 | 1641 | 1640 | 1639 | 1638 | 1637 | 1636 | 1635 | 1634 | 1633 | 1632 | 1631 | 1630 | 1629 | 1628 | 1627 | 1626 | 1625 | 1624 | 1623 | 1622 | 1621 | 1620 | 1619 | 1618 | 1617 | 1616 | 1615 | 1614 | 1613 | 1612 | 1611 | 1610 | 1609 | 1608 | 1607 | 1606 | 1605 | 1604 | 1603 | 1602 | 1601 | 1600 | 1599 | 1598 | 1597 | 1596 | 1595 | 1594 | 1593 | 15 |
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|                                 |       |       |       |         |       |
|---------------------------------|-------|-------|-------|---------|-------|
| (%)                             | -49.5 | -48.1 | -66.9 | Closes  | 105.3 |
| * Estimated dead carcass weight |       |       |       | Volume: | 44    |

|                              |       |                       |               |
|------------------------------|-------|-----------------------|---------------|
| (Official) (Volume prev day) |       | LONDON METAL EXCHANGE |               |
| Copper Gals A (2) (one)      |       | Cash:                 | 1198.5-1197.8 |
| Lead (one)                   |       | 3mth:                 | 1209.0-1210.0 |
| Zinc (one)                   |       |                       | 231.00-232.00 |
| 2mth 10.0                    | 25.00 |                       | 301.50-302.50 |
| 2mth 10.0                    | 25.00 |                       | 318.0-322.0   |

هكذا من الاخضر



## Decision time for British Telecom

### COMMENT

Very soon British Telecom has a crucial decision to make. It will shape the trend of future profits in a substantial way according to the outcome, put the government in a difficult position and deliver what amounts to a public kick in the teeth to Sir Bryan Canbary, the telecommunications industry's regulator. Little wonder then that Iain Vallance, BT's chairman, is taking his time.

BT feels that the government's refusal to allow increased rental charges is sufficiently vital to its long term profitability that the Monopolies and Mergers Commission must be called in to act as referee. An MMC investigation would certainly take six months. The delay would threaten any idea of an autumn sale of the government's 49 per cent stake in BT, and sour relations with Sir Bryan dramatically.

BT has lived with the idea of tough regulation since privatisation and has until recently coped comfortably with the price formulae laid down by Sir Bryan and his staff at OfTel. But it wishes to raise rental charges in order to correct what it sees as

a cross-subsidy by call charges. The effect of perpetuating the cross-subsidy would be that new competitors to the market would gain access on what BT sees as unfair terms.

BT has been seething over the way that Sir Bryan and the government are planning to reform the telecom industry. There is a good deal of support for BT's view among investors, for taken to their logical conclusion, the outcome could leave the company on a tight regulatory leash over pricing while at the same time forced to open up access to its systems to others in the name of free competition.

The result, BT says, is that it could lose substantial market share in the years to come. While it is prepared for competition, it has an obligation to its shareholders to ensure as far as possible that the regulatory regime is fair. The Treasury and the trade department have

difficult objectives to reconcile.

The laudable aim of increasing competition through encouraging new entrants to the telecoms business on attractive terms conflicts with its wish to complete the privatisation of BT.

The £7 billion or so which the sale might raise would be handy too in a financial year when public spending is increasing.

The government is also vulnerable to charges that having sold the first tranche of BT stock, it is being far tougher on BT than was ever envisaged at the time.

The thrust of the duopoly review, which is examining how the industry should be developed in the future, has so far appeared to favour radical dismantling of BT's privileged position.

In the long run that will almost certainly benefit the consumer. But BT shareholders may not

find the prospect so appealing. The issues are far too important to be left to simmer behind closed doors.

Since OfTel and the DTI appear little moved by BT's arguments on the cross-subsidy and over the future course of regulation, BT has little to lose from an appeal to the MMC. It should waste no further time.

### Fast buck

Despite Karl Otto Pöhl's apparent lack of enthusiasm, the group of seven countries plus a few other European central banks duly swung into self-publicised action to shore up the dollar as it precariously tumbled to a new low against the mark.

The main purpose of this can

only be to give the market cause for pause. There has been a full point switch in interest rates in favour of the mark which cannot be denied.

The thinking point is whether this might have been much worse and whether the dollar exchange rate, already at a deep low in terms of purchasing power, had already discounted last week's moves in anything longer than an instant push-button perspective.

The weakness of the American economy is certain, but many are prepared to predict that the German economy is not going to stay immune from the world's problems for too much longer.

So long as the leading economies diverge so markedly, economic and foreign exchange co-operation is going to remain difficult, war or no war. For Britain, this is particularly embarrassing.

Domestic policy is beholden to the sterling/mark rate, whatever the current argument about

trying to break free. That leaves the traditional cable rate as a policy irrelevance even though it remains highly significant for many sectors of industry and a not insignificant sideshow in currency markets. Sterling is stuck in the middle of the battle between German and American currencies, edging up against the dollar, but back down into the dumps against the mark and other exchange-rate mechanism currencies.

If this is a transitional problem, which is far from certain, it is still likely to remain with us for some time. Britain therefore has a strong short-term vested interest in the dollar recovering against the mark, an interest magnified in the mind of a Chancellor who does not seem to have foreseen the problem of getting stuck in the dollar/mark wash.

One alternative would be for sterling to push firmly above \$2. The government could cunningly help by funding its emerging deficit so as to attract international capital flows rather than to reinforce monetary restraint unnecessarily.

## Big Japanese banks link up to wrestle the world



More mergers: Yasushi Mieno, Bank of Japan governor

FOR many years foreign bankers have respected, perhaps even feared, such names as Nomura Securities, Nippon Life and Dai-ichi Kangyo Bank (DKB). Nomura is the world's largest securities company with assets of \$5,000 billion (£19.4 billion), Nippon Life the largest insurance company with assets of \$26,000 billion and DKB the largest bank with assets of \$65,000 billion.

What would the world's bankers think if faced with a financial hypermarket that had assets of \$390 billion, offering all kinds of banking, broking, underwriting, insurance, leasing and property services under one roof?

Pure fantasy? Not so. Japan's omnipotent finance ministry seems to be steadily moving towards the creation of giant universal banks.

Before pressure from foreign governments — particularly America — forces the deregulation and liberalisation of its markets, opening them to unprotected international competition, the ministry wants to see that its own constituents are imperious to the foreign challenge.

In talks in Washington, David Mulford, US Treasury under-secretary, told Makoto Utsumi, Japanese vice-minister of finance for international affairs, of strong congressional concern about the lack of openness of Japan's financial markets.

The Fair Trade in Financial Services Bill, if approved, would give the American administration the power to retaliate if Tokyo failed to liberalise its markets.

Mr Utsumi told Mr Mulford: "We have no problem in liberalisation per se. What we do differ on is the speed of that liberalisation."

Tokyo has been dragging its feet because it realises its financial sector is over-banked, disorganised, and still protected by arcane laws.

The Tokyo authorities have long bemoaned the segmented nature of Japan's financial services. The banks, for exam-

ple, are divided vertically into more than 7,000 institutions, including agricultural and fisheries co-operatives, that can take and place deposits. These range from the most powerful international city banks to the smallest local co-operatives.

As Yasushi Mieno, the governor of the Bank of Japan, recently pointed out: "More banks may merge as efforts are made to relieve small and

medium-sized banks from the pressures on Japan's financial institutions."

Horizontally also, institutions are divided by article 65, which separates banking from underwriting business, and by other restrictive legislation.

When deregulation eventually brings the circumvention of article 65, securities companies will be free to do banking business, and banks free to do securities business.

Faced with competition from such awesome world market leaders as DKB, the smaller securities houses will have no choice but to accept amalgamation into a "superbank". Likewise, small insurance and leasing companies will be forced to merge or die.

It is easy to imagine how these mergers might go. The six leading financial and commercial companies are grouped around Japan's six largest city banks.

The Sumitomo Group, for example, includes Sumitomo Bank (Japan's third largest), Sumitomo Trust and Banking, Sumitomo Fire and Marine Insurance, Sumitomo Life Insurance, the world's fourth largest life company, Daiwa Securities, Japan's second largest securities house, Sumitomo Lease, and Sumitomo Realty.

A post-deregulation financial hypermarket that rolled all these forces into one would have assets of \$390 billion. The logistics are on a grand scale, but Sumitomo Bank already has the experience of one merger under its belt — in 1986 it absorbed the ailing Heiwa Sogo Bank.

More recently, there have been several other bank mergers: Mitsui merged with Taiyō Kobe to form Mitsui Taiyō Kobe Bank, and on April 1 this year Kyowa and Saitama banks, respectively ranked Japan's tenth and eleventh in terms of assets, will merge.

Further partnerships are being encouraged. Last week the finance ministry said the banking deposit insurance system, which insures individual depositors up to ¥10 million each, would be used to assist mergers.

Paul Heaton, senior analyst at WI Carr (Overseas), said: "The finance ministry's proposal will encourage small regional banks to consider mergers... Restructuring of the financial industry is inevitable and, in order to survive and compete, many banks will have to merge."

JOANNA PITMAN  
Tokyo

## Grim news at John Menzies

### TEMPUS

JOHN Menzies, at one time a byword for its defensive qualities, must be hoping troubles do not come in threes. Last July it revealed £15 million of provisions below the line for an exit from its American Early Learning Centres operation, which had been losing money since it began in 1986.

This time there is a £4 million black hole at Ham-micks, the book retailing and wholesaling business, holding pre-tax profits back to just £200,000 for the half year, against £3.1 million last time. The raised half-way dividend is being paid out of reserves.

The shares, already losing ground since WH Smith's figures last week, dived another 35p to 300p.

The Early Learning provisions are sufficient for now, although there is no sign yet of a buyer. The equivalent stores in Britain are trading well but the John Menzies outlets were no more immune to the retail downturn than other sections of the high street over Christmas. Borrowings doubled to about £40 million over the previous year, leaving Men-

zies about 50 per cent geared.

Analysts were scaling back their forecasts even before the latest bad news. Pre-tax profits of £24 million in the year to end-April leave the shares trading on a multiple of 12, falling to nine next year assuming £31 million pre-tax, while the prospective yield looks to be a modest 4.2 per cent. Hardly worth chasing.

### Pentland

STEPHEN Rubin and his colleagues at Pentland Group have been rewarded for keeping their nerve over the sale of their 32 per cent stake in Reebok, the American sports shoe group, shelved for the time being because of market conditions in the autumn.

Exports of Reebok's new pump shoes range came good in the fourth quarter, after some alarms earlier in the year, pushing the Reebok share price back up to a level worth 80p per share to Pent-

land. Pentland duly gained 8p to 62p, at which they sell at 7.2 times likely 1990 earnings.

Pentland seems to have assembled worldwide control of the Speedo swimwear brand sensibly, one helpful pointer to the future, when Mr Rubin will try to repeat what was finally an embarrassing success with Reebok. Until sold, the Reebok stake will dominate, delaying any new analysis of the group. Meanwhile, long-term fans have little cause for alarm.

### Peter Black

PETER Black Holdings' relationship with Marks and Spencer, which accounts for 65 per cent of its turnover, has come up trumps. At the height of the consumer boom the sort of margins that could be squeezed out of M&S hardly set the City alight, but perspectives have changed. During the first half, which does not include Christmas, Black

maintained profits at £5.3 million before tax, which is no mean achievement in current markets.

M&S imposes strict discipline on all its suppliers, refusing to pick up the bill for rising costs, particularly when demand is so weak. So the only way forward is for suppliers to bite the bullet, which is what Black has done. Extraordinary charges of £3.95 million, leaving a net loss to shareholders of £341,000, cover the cost of withdrawing from sectors of footwear and furnishings. With the home furnishings business also under review, further charges are possible this year.

The interim dividend is maintained at 0.77p a share, payable from earnings of 6.63p, compared with 6.92p. Christmas was a disappointment and it would be a surprise if full-year profits are any better than last time's £10.28 million, putting the shares, unchanged at 108p, on an undemanding prospective p/e of eight. Sentiment will not change however, until interest rates begin to fall.

## THE TIMES CITY DIARY

### Angel Walker beyond doubt

WALTER Walker, the one-time Hoare Govett partner, has resurfaced wearing a bow tie and multi-coloured shirts. He left Hoare more than two years ago to become, briefly, managing director of the UK division of Chin Tung, the Far Eastern stockbroking subsidiary of Standard Chartered Bank. Since leaving the Square Mile, Walker, aged 45, whiled away his time helping out behind the scenes at the Westminster Theatre in London's Victoria. But, never content to be a back-room boy for long, he and a couple of other Westminster Theatre employees have now formed their own production company, Millennium Production, and have secured the rights to Jeffrey Archer's play, *Beyond Reasonable Doubt*. Starring Barbara Murray and Francis Matthews, it began a provincial tour on Friday night at the Royal Theatre, Northampton, with advance box office bookings running at a record. "I had had enough of stockbroking and although I had never acted in my life, I found the theatre quite beguiling," says Walker, Millennium's managing director. "But there are lots of complementary areas, like risk management, whether it's evaluating shares or plays, and raising finance." Walker is personally the largest single backer for *Beyond Reasonable Doubt*, but he has established a network of "angels" for future productions,

most of them former partners of Hoare Govett. "When I come into the City I wear a bow tie and outrageous shirt, since that's what they expect, and when I have a theatre meeting, I dress like a stockbroker. It seems to work quite well."

### Taken to cleaners

MANY people, if the truth be known, still take their dirty laundry home to mother. But Peter Binns, the City PR man who is now a director of the Haggie Company, does the opposite. Binns, aged 42, recently returned from a three-week holiday in New York visiting his mother, arriving at his Barbican flat with a suitcase full of dirty clothes. He then dispatched them to a laundry in Ilford, Essex, but, to the increasing alarm of his

colleagues, the said clothes failed to return. As he is renowned for his dapper "preppy-style" dress sense and obligatory button-down Brooks Brothers shirts, his colleagues could not help but notice that he kept wearing the same shirt day after day. "We were beginning to wonder if he had bought a job lot," says one, "but fortunately his clothes were returned at the end of last week, just before it became a serious problem." The clothes had been mislaid somewhere between Ilford and the tower blocks of the Barbican.

NOTICE outside a slimming club in Leeds: "Gone to lunch — 12.55 to 1."

### Booming business

THE days of the mega-buyout may be long gone but for some in the City, at least, there is more than enough business to go round. Such is the view of Ronald Stewart-Brown, the corporate financier, who has just joined Foreign & Colonial Ventures as a director. "The volume of deals is the same even though the aggregate value is much lower," says Stewart-Brown, a graduate of Trinity College, Cambridge, who has spent the past seven years as joint managing director of Morris, Stewart-Brown, a specialist venture capital firm he helped set up. "It is a fascinating and challenging occupation, putting deals together from nothing but a few ideas." He spent several years with Kleinwort Benson in the

Seventies, working alongside David Clementi, the electricity guru, and has just returned from a less than successful cruise down the Nile with his wife. "Over half his sand bank after just two-and-a-half hours, and we spent the rest of the trip following the river by taxi," he laments.

### Taxing puzzle

SOMERSET House, home to the Inland Revenue, has never been noted for its speed or imagination. But observers long hardened to the mysterious ways of the taxman were, nevertheless, surprised by a new ruling released last week concerning the West African state of Ghana. It seems that it has taken the Revenue 13 years to discover that a tax treaty, signed between Ghana and Britain in 1977, has never existed. And, in desperation, it has now fallen back on a taxation agreement signed with the Gold Coast — as the former colony was then known — in 1947. "We understood that they had ratified the treaty, but it seems this was not the case," says a bemused Revenue spokesman, adding that British companies dealing with Ghana will not be any the worse off for this change. "There have been several changes of government there since 1977, and we only found out about it when UK companies approached us." A meeting in Accra is now planned later this year to settle the affair once and for all.

CAROL LEONARD



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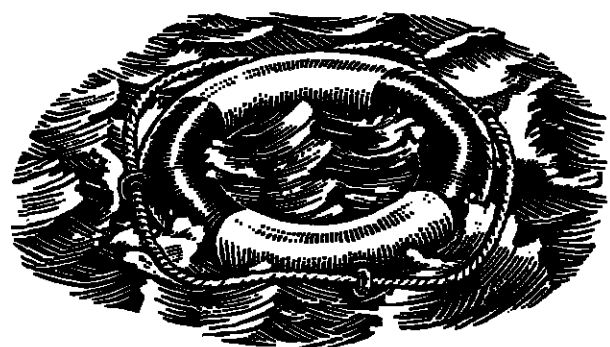
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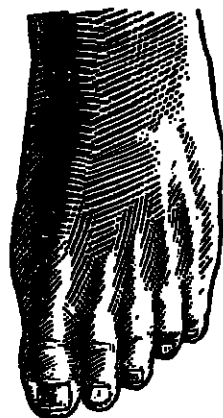
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## STOCK MARKET

## ICI rises on buy recommendation

BUY Imperial Chemical Industries for recovery. That was the message Warburg Securities, the company's own broker, was pushing out to clients in the Square Mile.

ICI, still regarded by many as a reliable bellwether of British industry, responded to the recommendation with a rise 7p to 948p, after briefly touching 958p. Warburg has upgraded its recommendation of the shares from a buy to a hold. The move comes a couple of weeks before ICI unveils preliminary results expected to show pre-tax profits down from £1.5 billion to £960 million.

Warburg is said to be sticking with its original forecast for last year but expects fund managers to start buying the shares before the expected recovery next year. For the current year pre-tax profits are estimated at about £840 million. But the City often takes the perverse view that it is sometimes better to travel than arrive. Once the recovery has started it may be too late to take advantage of the share price.

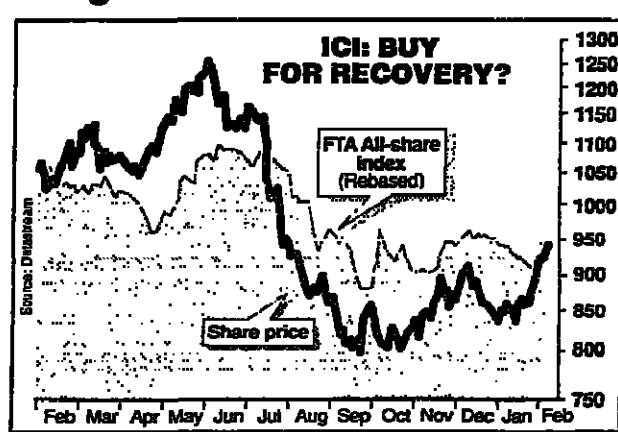
The rest of the equity market saw an early futures-led slow start. Investors appeared reluctant to chase the market higher and

there were few signs of selling. As a result, the market traded in narrow limits with the FT-SE 100 index closing 6.7 points higher at 2,172.4 after being almost 17 points up. The narrower FT index of 30 shares added 6.6 at 1,700.6 with turnover depressed at 355 million shares.

Bonds shed 2 1/4 at the longer end with the government continuing to resist pressure for an early cut in interest rates.

Shares of BET, the industrial services group, spent another nervous session losing an early lead and touching 92p before recovering to close 1p lighter at 99p. The shares fell sharply on Friday, in the wake of what was described as a co-ordinated bear raid. James Capel, the broker, was thought to have a seller of 5 million shares and there is concern that the shares may still be around. But some dealers are continuing to take a pessimistic view of prospects for the group. Debts, estimated to equal shareholders' funds, have raised fears about the group's inability to maintain the dividend.

Meanwhile, Hillsdown, the food to furniture group, which was subject of a bear raid on Friday, rallied 9p to 177p, while Albert Fisher recovered



2p to 109p, after finding itself the subject of bearish stories. Next, the troubled retailer, fell 1 1/2p to 18p after confirming plans to sell its Gratian mail order business to Otto

Fine Art Developments, the greetings cards and mail order group, will be taking a 15 per cent stake in Gratian. Fine Art, down 6p at 231p, has a mail order business to Otto

BIM Group, the engineer and construction equipment specialist, firmed 2p to 247p helped by a buy recommendation from Kleinwort Benson. Kleinwort is forecasting continued above average earnings growth and 30 per cent dividend growth. It expects interim figures in March to be followed by a re-rating of the shares that are trading at a discount to the market and the sector.

Versand, the German mail order group, for £140 million. Next said the deal will result in an extraordinary charge of £95 million. The group will also not be paying a final dividend.

John Menzies, the newsagent, tumbled 35p to 300p after the group gave warning that a slump in Christmas sales would hit full year profits that are now expected to fall

short of last year's final figure of £29.1 million.

Rival WH Smith, which upset the market last week with news of a dip in pre-tax profits, continued to lose ground with a fall of 8p to 343p in the A shares.

The utilities continued to attract selective support from the institutions impressed by their defensive qualities, although turnover was substantially below recent levels. Among the water stocks Anglian rose 9p to 302p, Northumbrian 7p to 302p, Southern 10p to 288p, South West 11p to 319p, Thames 3p to 298p, Welsh 6p to 321p, Wessex 5p to 326p and Yorkshire 9p to 309p. Only Severn Trent was unchanged, at 278p, while the water package hardened £66 to £230.8.

In electricity, Eastern rose 2p to 164p, East Midlands 2p to 170p, London 2p to 171p, Manweb 4p to 192p, Midland 2p to 164p, Northern 5p to 172p, Norweb 5p to 174p, Southern 2p to 174p and South Wales 3p to 187p. Seeboard fell 3p to 161p, South West 2p to 175p, while Yorkshire was steady at 180p.

MICHAEL CLARK

## Dow steady in early trading

NEW YORK  
SHARES were steady in heavy mid-morning activity as investors continued to flock to secondary issues. Blue chips were fluctuating in a tight range near Friday's closing level. The Dow Jones industrial average was up 2.97 points at 2,733.66.

Tokyo - Stocks closed firmer for the first time in six trading days. The Nikkei index closed 130.65 points higher at 23,287.36 with 240 million shares traded. (Reuters)

## MAJOR INDICES

|                 |          |           |
|-----------------|----------|-----------|
| New York:       |          |           |
| Dow Jones       | 2756.93  | (+26.24)* |
| S&P Composite   | 346.36   | (+3.31)*  |
| Tokyo:          |          |           |
| Nikkei Average  | 23287.36 | (+130.65) |
| Hong Kong:      |          |           |
| Hong Kong       | 3250.43  | (+26.94)  |
| FT-SE Eurotrack | 962.57   | (+6.08)   |
| Amsterdam:      |          |           |
| CBS Tendency    | 80.8     | (+0.4)    |
| Sydney:         | 1319.4   | (+16.9)   |
| Frankfurt: DAX  | 1435.03  | (+8.52)   |
| Paris:          |          |           |
| General         | 4051.52  | (+18.30)  |
| Zurich:         |          |           |
| Swiss 20        | 4187.8   | (+4.05)   |
| Stockholm:      |          |           |
| Stockholm       | 80.8     | (+0.4)    |
| Oslo:           |          |           |
| Oslo            | 1319.4   | (+16.9)   |
| Copenhagen:     |          |           |
| Copenhagen      | 1436.03  | (+8.52)   |
| Brussels:       |          |           |
| Brussels        | 4051.52  | (+18.30)  |
| Geneva:         |          |           |
| Geneva          | 4187.8   | (+4.05)   |
| Lisbon:         |          |           |
| Lisbon          | 80.8     | (+0.4)    |
| Madrid:         |          |           |
| Madrid          | 1319.4   | (+16.9)   |
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| Barcelona       | 1436.03  | (+8.52)   |
| Valencia:       |          |           |
| Valencia        | 80.8     | (+0.4)    |
| Seville:        |          |           |
| Seville         | 1319.4   | (+16.9)   |
| Bilbao:         |          |           |
| Bilbao          | 1436.03  | (+8.52)   |
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| San Sebastian   | 80.8     | (+0.4)    |
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| Pamplona        | 1319.4   | (+16.9)   |
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| Burgos          | 1436.03  | (+8.52)   |
| Salamanca:      |          |           |
| Salamanca       | 80.8     | (+0.4)    |
| Ávila:          |          |           |
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| Palencia        | 80.8     | (+0.4)    |
|                 |          |           |



هكنا من الاصل

STOCK EXCHANGE PRICES

# Equities lose early lead

ACCOUNT DAYS: Dealings began January 28. Dealings end February 8. Contango day February 11. Settlement day February 18.  
Forward bargains are permitted on two previous business days.

Prices recorded are at market close. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Where one price is quoted, it is a middle price. Changes, yields and price earnings ratios are based on middle prices.

## Portfolio

PLATINUM

© Times Newspapers Limited

DAILY DIVIDEND

£2,000

Claims required for +49 points

Claimants should ring 0254-53272

## Portfolio

PLATINUM

From your Portfolio Platinum card check your daily share price movements on this page only. Add them up to give you your overall total and check this against the daily dividend figure. If it matches you have won outright or a share of the daily prize money. If you win, follow the claim procedure on the back of your card. Always have your card available when claiming. Game rules appear on the back of your card.

| No.                                 | Company         | Group           | Gain or Loss |
|-------------------------------------|-----------------|-----------------|--------------|
| 1                                   | Broken Hill     | Industrials A-D |              |
| 2                                   | Type Test TV    | Leisure         |              |
| 3                                   | Gr. Portland    | Property        |              |
| 4                                   | De La Rue       | Industrials A-D |              |
| 5                                   | Wolsey          | Industrials S-Z |              |
| 6                                   | Wolfsburg & D   | Breweries       |              |
| 7                                   | Br. Aerospace   | Motors/Aircraft |              |
| 8                                   | Dela            | Electricals     |              |
| 9                                   | Progeny         | Property        |              |
| 10                                  | Security Serv   | Industrials S-Z |              |
| 11                                  | T & N           | Industrials S-Z |              |
| 12                                  | Unid Brands     | Food            |              |
| 13                                  | Kingfisher      | Drugs/Stores    |              |
| 14                                  | Greenall Wht    | Breweries       |              |
| 15                                  | Haywards        | Industrials E-K |              |
| 16                                  | Samuel          | Oil/Gas         |              |
| 17                                  | Parsons         | Industrials L-R |              |
| 18                                  | MEPC (as)       | Property        |              |
| 19                                  | Vesta Group     | Breweries       |              |
| 20                                  | Williams Ridge  | Industrials S-Z |              |
| 21                                  | Westpac         | Bank/Discount   |              |
| 22                                  | Waters & Philip | Food            |              |
| 23                                  | Bam             | Drugs/Stores    |              |
| 24                                  | BOC             | Industrials A-D |              |
| 25                                  | Hilldown        | Food            |              |
| 26                                  | TNT             | Transport       |              |
| 27                                  | Bentley         | Industrials A-D |              |
| 28                                  | Reuter          | Industrials E-K |              |
| 29                                  | Shelley         | Industrials E-K |              |
| 30                                  | Flintco C&W     | Industrials E-K |              |
| 31                                  | Unid Newspapers | Newspapers/Pub  |              |
| 32                                  | AB Food         | Food            |              |
| 33                                  | Calbury-Schep   | Food            |              |
| 34                                  | Honda Motor     | Motors/Aircraft |              |
| 35                                  | Northumbrian    | Water           |              |
| 36                                  | Grand Met       | Breweries       |              |
| 37                                  | SPS Ind         | Building/Roads  |              |
| 38                                  | Taylor Woodrow  | Building/Roads  |              |
| 39                                  | Whence          | Industrials S-Z |              |
| 40                                  | Electric Water  | Electricals     |              |
| 41                                  | York & New      | Water           |              |
| 42                                  | Stax & New      | Water           |              |
| 43                                  | Margrove        | Industrials L-R |              |
| 44                                  | Midland         | Bank/Discount   |              |
| © Times Newspapers Ltd. Daily Total |                 |                 |              |

Please take into account any minus signs

| Weekly Dividend  |     |     |     |     |     |              |
|--|-----|-----|-----|-----|-----|--------------|
| Please make a note of your daily totals for the weekly dividend of £4,000 in Saturday's newspaper. |     |     |     |     |     |              |
| MON  | TUE | WED | THU | FRI | SAT | Weekly Total |
|  |     |     |     |     |     |              |

Three readers shared the £2,000 Portfolio Platinum prize yesterday. Mrs Halima Halibatan, of Surbiton, Surrey; Mr E Evans, of Sherborne, Dorset; and Mrs Dawn Barchard, of Winchester, Hampshire, each receive £666.66.

### BRITISH FUNDS

1990/91 High Low Dividend Price Change % P/E

#### SHORTS (Under Five Years)

|    |         |         |         |         |         |         |
|----|---------|---------|---------|---------|---------|---------|
| 1  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 2  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 3  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 4  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 5  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 6  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 7  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 8  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 9  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 10 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |

#### FIVE TO FIFTEEN YEARS

|    |         |         |         |         |         |         |
|----|---------|---------|---------|---------|---------|---------|
| 1  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 2  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 3  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 4  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 5  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 6  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 7  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 8  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 9  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 10 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |

#### OVER FIFTEEN YEARS

|    |         |         |         |         |         |         |
|----|---------|---------|---------|---------|---------|---------|
| 1  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 2  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 3  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 4  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 5  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 6  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 7  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 8  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 9  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 10 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |

#### UNDATED

|    |         |         |         |         |         |         |
|----|---------|---------|---------|---------|---------|---------|
| 1  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 2  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 3  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 4  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 5  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 6  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 7  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 8  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 9  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 10 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |

#### INDEX-LINKED

|    |         |         |         |         |         |         |
|----|---------|---------|---------|---------|---------|---------|
| 1  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 2  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 3  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 4  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 5  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 6  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 7  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 8  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 9  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 10 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |

#### BANKS, DISCOUNT, HP

| 1990/91 | High    | Low     | Dividend | Price   | Change  | %       | P/E     |
|---------|---------|---------|----------|---------|---------|---------|---------|
| 1       | 1000000 | 1000000 | 1000000  | 1000000 | 1000000 | 1000000 | 1000000 |
| 2       | 1000000 | 1000000 | 1000000  | 1000000 | 1000000 | 1000000 | 1000000 |
| 3       | 1000000 | 1000000 | 1000000  | 1000000 | 1000000 | 1000000 | 1000000 |
| 4       | 1000000 | 1000000 | 1000000  | 1000000 | 1000000 | 1000000 | 1000000 |
| 5       | 1000000 | 1000000 | 1000000  | 1000000 | 1000000 | 1000000 | 1000000 |
| 6       | 1000000 | 1000000 | 1000000  | 1000000 | 1000000 | 1000000 | 1000000 |
| 7       | 1000000 | 1000000 | 1000000  | 1000000 | 1000000 | 1000000 | 1000000 |
| 8       | 1000000 | 1000000 | 1000000  | 1000000 | 1000000 | 1000000 | 1000000 |
| 9       | 1000000 | 1000000 | 1000000  | 1000000 | 1000000 | 1000000 | 1000000 |
| 10      | 1000000 | 1000000 | 1000000  | 1000000 | 1000000 | 1000000 | 1000000 |

|    |         |         |         |         |         |         |
|----|---------|---------|---------|---------|---------|---------|
| 1  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 2  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 3  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 4  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 5  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 6  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 7  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 8  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 9  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 10 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |

### BREWERIES

|    |         |         |         |         |         |         |
|----|---------|---------|---------|---------|---------|---------|
| 1  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 2  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 3  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 4  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 5  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 6  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 7  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 8  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 9  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 10 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |

### BUILDING, ROADS

|    |         |         |         |         |         |         |
|----|---------|---------|---------|---------|---------|---------|
| 1  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 2  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 3  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 4  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 5  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 6  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 7  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 8  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 9  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 10 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |

### ELECTRICITY

|    |         |         |         |         |         |         |
|----|---------|---------|---------|---------|---------|---------|
| 1  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 2  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 3  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 4  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 5  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 6  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 7  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 8  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 9  | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 10 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |

### FINANCE, LAND

|         |         |         |         |         |         |         |
|---------|---------|---------|---------|---------|---------|---------|
| 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 1000    |         |         |         |         |         |         |
| 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
| 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 | 1000000 |
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Pulling the purse strings: Ron Hollidge looking for business investments at his office and (right) in a factory ripe for a management buyout



## Man with an eye for a deal

Smaller deals, but more of them. That is the prospect for management buyouts (MBOs) in 1991 as the recession bites. Ron Hollidge, the managing director at Lloyds Development Capital, sums it up: "Only one thing about 1991 is certain. Things will get a lot worse before they get better. The difficult market will certainly sort out the men from the boys."

"Those who have adopted a get-rich-quick attitude while times have been good will find it hard to withstand the problems, but the long-term players are simply seeing the current situation as a natural part of the economic cycle," Mr Hollidge says.

"However, the downturn is already creating many opportunities and at last prices are becoming more sensible."

KPMG Peat Marwick McLintock also sees scope for MBOs. Its report on 1990 says: "As every surfer knows, as the tide ebbs the waves get smaller, but they are no less frequent. Much the same has applied to MBOs. Like the surfers, it is good to find most UK MBO players still standing up."

Times are tough, but careful managements are riding a wave of success, Rodney Hobson writes

Peat Marwick McLintock notes that there were five MBOs of more than £250 million in 1988, but only three in 1989 and there was just a solitary deal of £260 million last year. Yet the total of deals between £10 million and £250 million, which on average accounts for half the money that goes into MBOs, have held up well at about £2 billion.

There were 56 such deals last year, down from 69 in 1989, but still higher than two years ago. Although the total money raised slipped to £1.8 billion, that was 64 per cent of the total MBO market.

One cause of the decline has been the fading away of MBOs of listed companies after they peaked at 12 in 1989.

There were just four in 1990: Saga, Batley's, W. Alexander and Really Useful Company. Their combined value was £170 million, a fraction of the £3.8 billion spent on taking companies off the Stock Exchange the

previous year. Peat Marwick McLintock's report says: "We attribute the decline to a lack of courage from bidders at large. Another cause has been leverage. The fall of gearing in MBOs of more than £10 million from just under six times in the second half of 1989 to less than twice in the second half of 1990 is dramatic."

"Had lenders remained as generous, the £590 million equity raised in 1990 could have been leveraged to £4.1 billion instead of the actual £1.4 billion, thus doubling total funding. "Either lenders were too lavish in 1989 or too parsimonious in 1990 — or most probably both," the report says.

The result has been that a £10 million MBO that once required £1.5 million of equity now requires £3.5 million.

Peat Marwick McLintock adds: "Many banks, burnt by earlier deals, are openly out of the market or protect themselves by offering un-

acceptable covenants. Debt arrangements have therefore become more concentrated, with just three groups, NatWest, Barclays and Bank of Scotland, handling 43 per cent of the deals."

Mr Hollidge confirms that although business has picked up considerably in the past few months, most potential deals are below £20 million and not all are of sufficiently high quality.

He says: "We are definitely seeing more realistic values, partly because of the lack of bank finance, but also because venture capitalists have learnt a fairly tough lesson on prices and structures over the past two years."

"We are hearing of major deals at a discount to net asset values and where interest cover is much higher and therefore the company will be much more resilient."

Mr Hollidge admits that companies that do not need to sell are hanging on to poorly performing subsidiaries in the hope that prices will pick up.

He warns them: "As in the housing market, just when you thought it could not go any lower, it did. These companies may hold on but then prices may go lower still."

## Falling prices lighten the millstone of debt

Now is the time to invest as prices are low and companies performing well are born survivors, Jonathan Prynn reports

With the return of recession, veteran management buyout deal-makers say that the market has come full circle from the time of its birth and early development in the late Seventies to early Eighties.

This is certainly true in the financing of deals, for the debt mania of the final years of the last decade is now no more than a painful memory. Average debt-equity levels have fallen to those of ten years ago, with few deals now more than 100 per cent geared.

Two to three years ago, MBOs were being financed with up to 80 or even 90 per cent debt. Admittedly, the average was skewed by the effect of the high-leveraged mega-deals, but MBO structures of two, or three, parts debt to one of equity were the norm for most small and medium-sized deals.

Several factors have contributed to the big change of the past year. Prices have fallen back dramatically as competition from trade buyers has diminished and large companies have been forced to divest subsidiaries to reduce their borrowings. Prices have been particularly favourable for management

teams buying from receivers. Lower prices mean less debt is needed to meet the equity providers' requirements for acceptable rates of return. Equally importantly, the percentage of management equity need not change substantially to compensate for the lower level of debt.

In addition, the number of banks prepared to lend to buyout teams has declined significantly. According to Malcolm Cameron, the senior executive for acquisition finance at National Westminster, almost all the big American and Japanese lenders have withdrawn from the market, leaving only a handful still backing transactions.

Those few are far more cautious than previously, demanding tougher covenants on key financial ratios such as interest cover and tighter security. Banks are again looking for solid asset backing, with the purchase consideration preferably at a discount to those assets.

In the late Eighties, prices were usually at a premium to assets and the goodwill element was covered by mezzanine or even senior debt. Hardening bank margins mean buyout teams can now

expect to pay 2.25 or 2.5 percentage points over Libor, compared with the 2 percentage points that were the norm in the late Eighties.

The practice of underwriting large amounts of debt, in the hope and, in more buoyant days, expectation of syndicating it to the market, has disappeared altogether.

A more common approach now is the "club deal", in which four or five banks are brought together to provide the senior debt element. This is a more time-consuming and labour-intensive process, but it reduces the banks' exposure.

In contrast to the banks, on the equity side there is still a large reservoir of funds waiting to be placed. Market estimates for the amount raised by MBO funds vary from £1.5 billion to £2 billion.

One of the biggest funds, the £320 million raised by Candover Investments in 1989, has so far invested £97 million. Most of the other funds were also raised in the past two years and many have a five-year investment period.

Although institutions are not yet putting pressure on the funds to invest, according to Robert Smith, the chairman and chief executive of Morgan Grenfell Development Capital, that could change if the funds continue to stay out of the market for another year. "There is no pressure to invest money now. The last thing the institutions want is for the funds to start spraying money around," he says.

For all the participants, now is probably a good time to invest, despite the problems. Prices are low and companies that are able to survive present conditions can probably survive anything. Within a year or two, a more favourable economic climate will return and levels of leverage will begin to creep up again. However, the market is wiser and saner now and the fed-up, debt-heavy deals of the peak of the age of leverage are unlikely to return, at least in the short to medium term.

|                         | 1989<br>Jan-June | 1989<br>Jul-Dec | 1990<br>Jan-Jun |
|-------------------------|------------------|-----------------|-----------------|
| Senior debt             | 60.1             | 54.0            | 58.1            |
| Mezzanine               | 11.3             | 22.5            | 10.7            |
| Equity and quasi-equity | 19.2             | 18.5            | 24.8            |
| Loan notes              | 4.8              | 2.6             | 3.1             |
| Other forms             | 4.6              | 2.4             | 3.3             |
| Total                   | 100.0            | 100.0           | 100.0           |

Source: C&A

| Year    | Number | Mezzanine value (£m) | Total value (£m) of mezzanine deals |
|---------|--------|----------------------|-------------------------------------|
| 1985    | 5      | 92.4                 | 420.6                               |
| 1986    | 10     | 104.2                | 503.2                               |
| 1987    | 15     | 239.3                | 1,034.4                             |
| 1988    | 20     | 172.0                | 1,220.8                             |
| 1989    | 30     | 891.5                | 5,630.3                             |
| 1990 Q2 | 11     | 89.2                 | 658.8                               |

Source: C&A

There's something more substantial than just promises behind our MBO offers.

An offer to finance a buyout isn't always what it seems.

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Their offers, in fact, are merely theoretical proposals. Only when the deal is on will they actually go shopping for all the funds you'll need.

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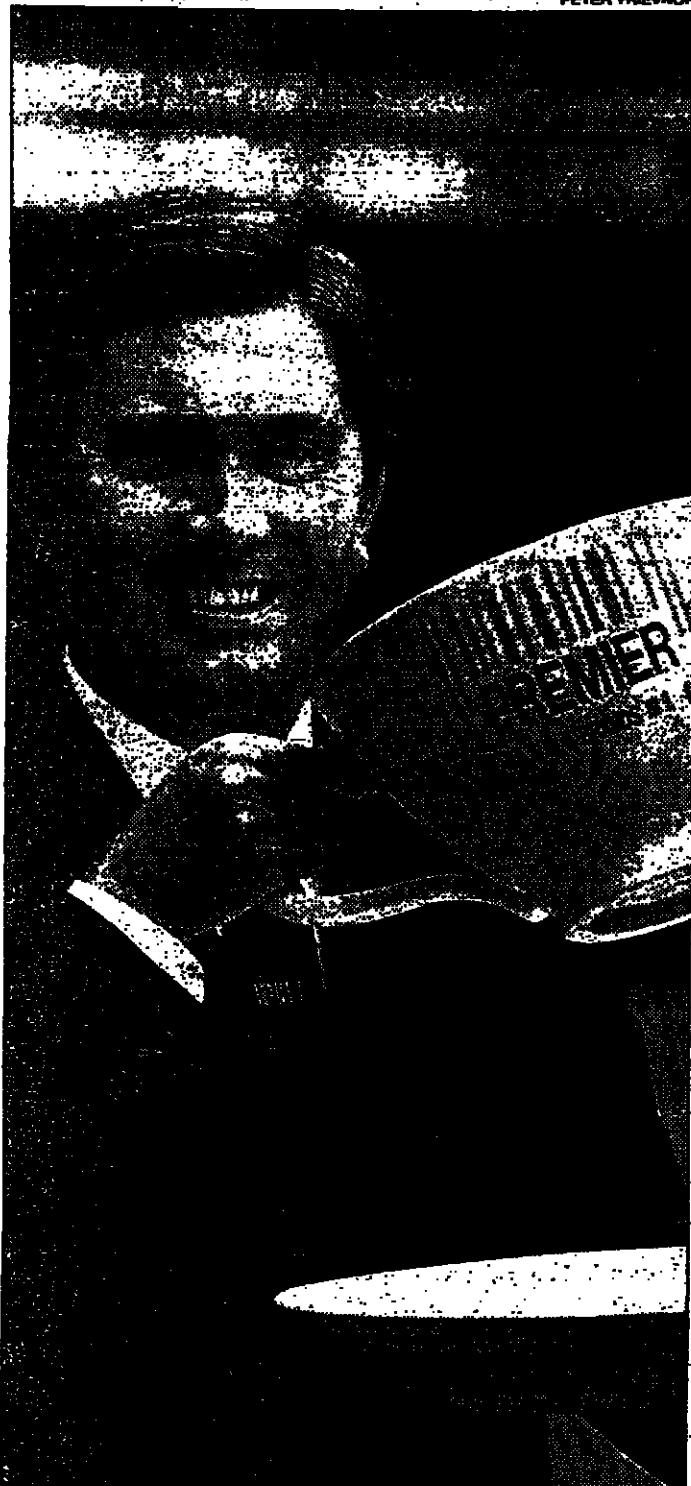
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**BDCL**



# Going it alone is no tea party

PETER FREEMAN



Not his cup of tea: Paul Judge quit over a trade-buyer decision

With the days of making a quick million over and many casualties to prove the point, buyouts should be handled carefully, Jonathan Prynne advises

Something has gone terribly wrong with the management buyout production line that worked so smoothly in the Eighties. In those halcyon days, the three-year progression from deal to share flotation was a quick way to make a million.

Although many buyout teams did sell to trade buyers, this option was regarded as a "dirty exit", in which the ideals of management independence were sacrificed for short-term gain. The argument was summed up in

March 1989 when Premier Brands, one of Britain's most successful MBOs, opted not to float, but to seek a trade buyer. The decision provoked the resignation of Paul Judge, its chairman. By then, however, the flotation route was already losing its appeal. In 1985, more than twice as many buyouts came to the market as were sold to trade buyers, according to figures from the Centre for Management Buyout Research, at Nottingham University. In 1986 and 1987, the numbers were about equal. However, in 1988, the first full year after the share crash, 34 buyouts were floated, compared with 49 sold to trade buyers. In 1989, trade sales outnumbered flotations by eight to one. Last year the flow of MBO new issues became a trickle, and in the second half it dried up altogether.

The reasons were clear. The market, shell-shocked by the effects of the recession, was simply not interested in buying shares in small, non-liquid, relatively high-risk new issues. As the stock market was so depressed, flota-

tions would be unlikely to realise the 35 per cent rates of return demanded by the equity backers of deals.

One of the few former buyouts that did come to the market last year was the Goldsmiths Group, a jewellery chain, which floated at 150p in January. A trade sale had been an alternative as the company had been approached by several potential buyers, but none of the offers would have triggered the ratchet agreements that would have made the deal a success. Deferring the flotation would also have caused problems, Jurek Piasecki, the chairman, says, because of the compounding effect of the 35 per cent return requirements of the venture capitalist, Schroder Ventures.

The short-term horizons imposed on buyout managers by this consideration are among the biggest drawbacks in Britain's MBO industry, Mr Piasecki says. "The investment is effectively 'hot money'. The venture capitalists want to whip the investment out and put it in the next deal every three to five years."

There is a need for institutions that are prepared to invest over the long term and accept compound growth of about 20 to 22 per cent. As it is, you have to go hell-for-leather for two to three years to trigger the ratchet."

Mr Piasecki believes a structure, such as that proposed to him by one potential trade investor, would produce healthier buyouts in the long run. Under this proposal, the investor would buy out the venture capitalists, while allowing the management to retain its shareholdings. However, it would grant the managers put-options over their shares that could be exercised at prices based on multiples of the profits growth of the company.

The management retains its equity involvement in the company while

having the 35 per cent requirement removed. The investor gets the benefit of the company's increased productivity and efficiency, while topping up its stake as the put-options are exercised.

Not all buyout managers agree that a trade sale means losing MBO benefits. Frank Blake, the managing director of Associated Fresh Foods (AFF), says his company's experience proves that a trade sale does not mean the end of the buyout story.

AFF was bought out from Asda-MFI in 1987 for £65 million. In July last year it was gobbled up by the Danish dairy group MD Foods for £92.4 million. The company had planned a flotation, but as market conditions deteriorated, this option looked increasingly unattractive.

A number of potential trade buyers had contacted the company and an acquisition with MD Foods went ahead, allowing continued development and growth after the buyout.

Sadly, the choice between selling and floating is not an issue in an increasing number of MBOs. Last year saw record numbers of buyouts going into receivership. In the first half of 1990, 23 buyouts failed, three more than the figure for the whole of 1989.

This year is likely to produce a worse figure, as many of the highly geared deals of the late Eighties struggle to meet interest bills.

Fortunately, the lessons of that period have been learnt: buyouts are now far more conservatively structured. As with the quoted market a few years earlier, prices had been pushed up to unrealistic levels by over-enthusiastic buyers. For the companies now suffering as a result, the next two years will be more about survival than flotation or trade sales.



Studying the upturn in receiverships: Mike Wright

## Venture capitalists versus the vultures

COLOROLL, the home-furnishings group, British and Commonwealth Holdings and Yellowhammer Advertising are just three big names that have suffered the ignominy of calling in receivers or administrators. Not for years have managements had so much opportunity to prove that they can do better than their companies' owners.

Frank Neale, a partner at Philpotts Ventures, says: "The Eighties began with buyouts from receivers as a main source of deals. Now the trend has returned, but there is a difference. Most receivership buyouts today are of healthy subsidiaries from overgeared bankrupt parents. Funding for a loss-making subsidiary is hard to find."

Healthy subsidiaries are often the reason the parent company went bust. The parent paid too high a price to take over other companies, then found it was unable to meet interest payments.

The Centre for Management Buyout Research, at Nottingham University, says 15 per cent of deals in 1990 were from receivers, against only 0.4 per cent in the previous year.

Professor Mike Wright at the centre says: "There is a return to levels not seen since the early Eighties. Deals from receivers declined through the decade and had almost disappeared. Now there are more reconstructions

of companies and there are fewer exits."

Venture capitalists are not averse to the trend towards buying from receivers, as the prices tend to be lower. However, the risks are greater and the companies come without warranties or indemnities.

Clive John, who specialises in receiverships at Lloyds Development Capital, says: "The receiver's brief is to sell quickly, then get on to the next deal."

Mr Neale says: "Once a business has gone into receivership, it is almost inevitable that the vultures will descend to pick up the pieces on the cheap. If the business is to be sold as a going concern, the receiver will want a quick sale."

"This goes against the grain for venture capitalists, who like to spend as long as possible getting an understanding of the business. The speeding-up of this homework must inevitably lead to short cuts, imperfect knowledge and, therefore, higher risk."

One of the biggest risks is the loss of suppliers and customers. Mr John says: "Suppliers may lose money as a result of the bankruptcy. If the same manager asks for supplies on the same terms, it is hard to see why the supplier will continue to oblige."

Mr Neale adds: "Customers may consider contingency plans, providing openings for competitors."

RODNEY HOBSON

| RECEIVERSHIPS                           |      |      |      |      |      |             |             |              |         |
|---|------|------|------|------|------|-------------|-------------|--------------|---------|
| Type                                    | 1985 | 1986 | 1987 | 1988 | 1989 | Jan-June 89 | Jan-June 90 | Period       | Buyouts |
| Sale of unquoted MBO to another company | 12   | 33   | 38   | 49   | 81   | 35          | 27          | 1985         | 1       |
| Sale of quoted MBO to another company   | -    | 11   | 10   | 20   | 10   | 4           | 8           | 1986         | -       |
| Stockmarket quotation                   | 28   | 35   | 34   | 34   | 11   | 9           | 9           | 1987         | 4       |
| Total                                   | 40   | 80   | 82   | 103  | 102  | 48          | 38          | 1988         | 7       |
|   |      |      |      |      |      |             |             | 1989         | 20      |
|   |      |      |      |      |      |             |             | Jan-Jun 1989 | 9       |
|   |      |      |      |      |      |             |             | Jan-Jun 1990 | 23      |

| RECEIVERSHIPS                           |      |      |      |      |      |             |             |              |         |
|---|------|------|------|------|------|-------------|-------------|--------------|---------|
| Type                                    | 1985 | 1986 | 1987 | 1988 | 1989 | Jan-June 89 | Jan-June 90 | Period       | Buy-ins |
| Sale of unquoted MBO to another company | 12   | 33   | 38   | 49   | 81   | 35          | 27          | 1985         | 1       |
| Sale of quoted MBO to another company   | -    | 11   | 10   | 20   | 10   | 4           | 8           | 1986         | -       |
| Stockmarket quotation                   | 28   | 35   | 34   | 34   | 11   | 9           | 9           | 1987         | 4       |
| Total                                   | 40   | 80   | 82   | 103  | 102  | 48          | 38          | 1988         | 7       |
|   |      |      |      |      |      |             |             | 1989         | 20      |
|   |      |      |      |      |      |             |             | Jan-Jun 1989 | 9       |
|   |      |      |      |      |      |             |             | Jan-Jun 1990 | 23      |

## Strong nerves will win the day in the regions

Management buyout (MBO) activity is living up in the regions after a slack period in the middle and later part of 1990 (Rodney Hobson writes).

Michael Joseph, the director of regional offices at Lloyds Development Capital, says: "Demand was strong in Birmingham during 1988 and 1989, but in the first half of 1990 activity slowed. We have picked up considerably in the past two months and are looking at more deals than at any time in the past ten months."

"Leeds, where we opened a branch in the autumn of 1989, was similar. We had a busy time in the first half of 1990, but July and August were quiet. Just before Christmas activity picked up again."

Mr Joseph points to a number of potential deals in which the parent company is in difficulties, or a group is disposing of non-core business. "Sound and well-managed subsidiaries are available," he says.

Regional deals are still smaller than in London. Transactions worth more than £25 million are rare; most are between £2 and £15 million.

Expertise, however, has grown tremendously, and so has the realisation that it is available outside London.

Liz Martin-Rosenfeld, of Birmingham-based SUMMIT Equity Ventures, says: "Birmingham has always offered a complete array of financial

| LARGE MBO                  |       |
|----------------------------|-------|
| Region                     | Total |
| Home counties/ East Anglia | 82    |
| London                     | 68    |
| Northeast                  | 35    |
| Midlands                   | 33    |
| Northwest                  | 24    |
| West                       | 16    |
| Scotland                   | 11    |
| Northern Ireland           | 2     |
| Total                      | 271   |

Source: KPMG Peat Marwick McLintock

services, including accountancy, legal, stockbroking and venture funding. Yet there has been a tendency for people to think that, because of Birmingham's proximity to London, the users of financial services could be equally well served in London.

"In theory this may be true, but our clients prefer to use local services. It makes it easier to meet at short notice or for a short time."

Mr Joseph agrees: "Expertise has matured tremendously in the past three or four years. On the accountancy side, the choice used to be very limited. Now there is a depth of experience and a breadth of choice for corporate advice and analytical skills."

Martin Gagen, 31's local director in Leicester, says regional interest in MBOs will continue to be strong despite the harsher economic climate. "The current turbulent conditions can be a hidden benefit to managers considering a

buyout," he says. "Large companies, forced to concentrate on mainstream activities, are looking to divest peripheral divisions. Who better to sell to than the existing management team?"

Mr Joseph says that the hardest part is getting the banks to put up the debt portion of deals in the regions. He says: "There has been a knock-on effect from bigger, less successful deals, and the feeling has grown in the banking community that buyouts are not such good news. It is harder to get debt even for good, solid companies."

There is a danger of throwing the baby out with the bathwater. Banks should be castigated for the highly leveraged deals that ended in bankruptcy, but these bear no relationship to £5 million deals where half is equity and half debt. Yet even that kind of deal is being frowned on and is not getting the kind of support that it should."

That attitude has stifled the retail sector in particular, leaving investors to turn their attention to engineering and manufacturing. Economic circumstances have also forced venture capitalists to look at asset backing rather than unrealistically hoping for high growth in earnings.

Of the regions, Mr Joseph says: "Now is the time for people with strong nerves. It may be five years before today's management buyouts start to see big profits."

## All quiet on the US front

THE leveraged buyout (LBO), the grown-up American cousin of Britain's management buyout and the most-feared corporate finance instrument of the past decade, has declined to a shadow of its former self (Jonathan Prynne writes).

According to figures from Securities Data, the American financial information house, the value of completed deals (of which there were 195 in 1990) fell by 75 per cent to \$21.1 billion (£11 billion).

The decline in activity was most marked in the second half of 1990, when the effects of deepening United States recession were compounded by uncertainties in financial markets after the invasion of Kuwait. Now the financing for LBOs is simply not available, either from the weakened bank market or from the junk bond underwriters.

News of a stream of LBO bankruptcies is also unlikely to encourage the few management teams that might be contemplating a deal. In July,

an investigation into Revco, a US drug-store chain and a 1986 vintage LBO, found that the company was almost insolvent when the deal was made. Closer investigation of future LBOs was promised and the discrediting of the LBO concept continued.

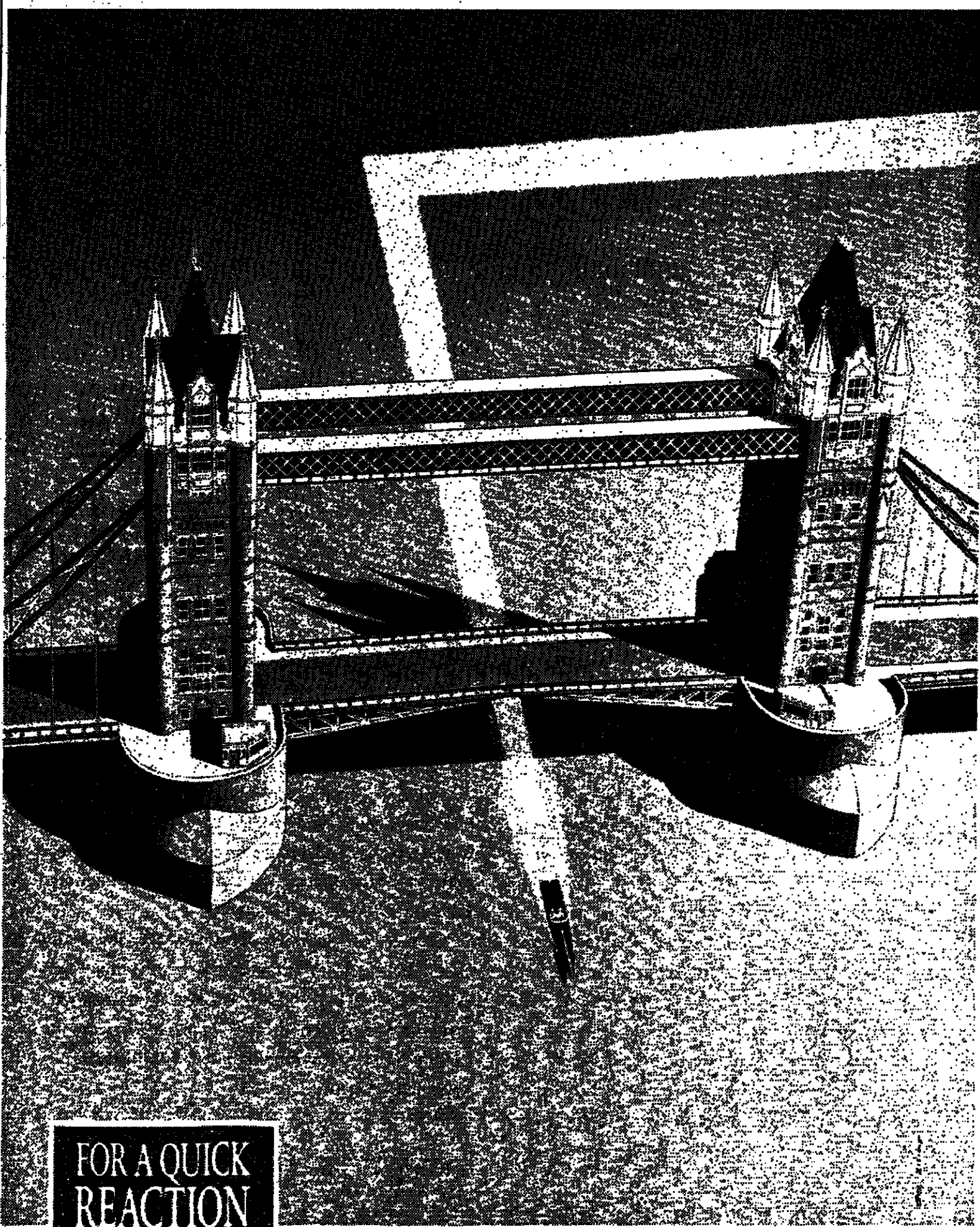
Pricing of debt for LBOs has moved up dramatically, with upfront banking fees increasing from 2.5-3 per cent to 4-5 per cent. With the loan syndication market so uncertain, banks are seeking compensation for the increased underwriting risk. Meanwhile, issues of high-yield securities (or junk bonds as they are known) are off the agenda, with existing issues changing hands at massive discounts and yielding 25 to 30 per cent.

As in Britain, deals that do go ahead have been more conservatively structured. Debt now rarely represents more than 50 per cent of the finance. Two years before, 70 to 80 per cent had been commonplace.

The new year has brought better news. In mid-January, Kohlberg, Kravis, Roberts (KKR) and Forstmann Little, the two most respected LBO backers in the US, separately announced they had raised a total of \$2.3 billion (£780 million) for new deals. A few days later, IBM said it was close to completing the \$1.5 billion (£7.8 billion) sale of its typewriter business to a management team.

While these are encouraging signs, they hardly constitute a full-blooded revival. Bankers say the moribund condition of the market is in hiatus until the US economy decides its course for the next year.

Any deepening of the recession will see buying prices drop to levels at which opportunistic LBOs, backed by the new funds, are likely. Any improvement in the economy will see confidence begin to pick up, encouraging management teams to proceed with transactions. Even if this happens, confidence is likely to remain brittle.



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# Following Britain's lead



Popular move: "The MBO habit has caught on," Chris Beresford says

Continental buyout deals now equal Britain's in value. Rodney Hobson reports on the growing market in France, Sweden, Italy and Germany

Britain is losing its dominance over the European management buyout (MBO) scene. In 1990, for the first time, MBO deals on the Continent equalled Britain's in value. Figures from KPMG Peat Marwick McLintock, the accountancy firm, put last year's deals in Europe at £2.8 billion. This represented a 28 per cent fall, but the total value in Britain fell by 37 per cent.

The average size of deals of more than £10 million on the Continent was £42 million, compared with £36 million here. In the previous five years, starting from the first continental MBO in 1985, British buyouts totalled about £17 billion while European ones came to only £8 billion.

Chris Beresford, who is in charge of MBOs at Peat Marwick McLintock, says: "The habit has now caught on so widely that in future Britain will not overshadow the European market."

France, Sweden, Italy and Germany stand out on the Continent. France has had 32 per cent of the number and 42 per cent of the market value in the past six years. Sweden has managed only 18 buyouts, but their value is £1.9 billion, 23 per cent of the total. Italy, with 10 per cent by value, and Germany, with 9 per cent, were notably behind, despite having a greater number of deals than Sweden.

MBOs are bolstered in Europe by the increasing availability of venture capital. The European venture capital pool is about £20 billion and investment is more than £3 billion a year. Although Britain is an important source of these funds, France leads on the Continent and the United States and Japan have been ready investors.

Buyouts and buyins account for only a fifth of deals backed by venture capital, but take up nearly half the money. Peat Marwick McLintock says

the average European buyout financed by venture capital is about £1.2 million. Expansion-stage investments need less than £500,000 each.

John Hustler, Peat Marwick McLintock's head of venture capital, says: "The figures are a clear demonstration of the attractions of European investment opportunities, with 1992 on the horizon. An important phenomenon has been the establishment of funds raised in one national market with the intention of their being invested in another."

"The UK is, in many cases, filling the gap in countries where institutional money is not freely available."

Peat Marwick McLintock believes that France and Italy are the countries in which MBOs are most likely to grow in popularity. France is gaining from its increasing expertise in financial services. Many family businesses have ageing directors with no obvious successors. Meanwhile, international competition is leading groups to divest non-strategic activities.

Italy, also, has many small and medium-sized privately owned companies with succession problems.

In Sweden, high interest rates are an obstacle to MBOs, although the depressed values on the stock market and the wealth tax on listed shares should lead to more buyouts.

In Denmark, economic conditions are steady and few companies are for sale. In Belgium, future values are unlikely to go higher, although MBOs are still popular.

The dark horse could be The Netherlands. Mr Hustler says: "The wave of mergers and acquisitions is continuing. Most companies have started evaluating their business portfolios. The further development of finance facilities will stimulate MBO activity."



Crisis manager: John Parker had double trouble just as he became head of Kosset

## Avoiding a carpeting

MANAGEMENT buyout dos and don'ts are unlikely to include advice on doing deals just before an international incident, or before your largest customer goes into receivership. These were two of the problems facing the management of the carpet manufacturer Kosset when the company was bought from the receivers of Coloroll last July.

Fortunately, the management team, backed by Phil-drew Ventures and Bank of Scotland, had built financial slack into a conservative buyout structure.

As a result, even with consumer confidence shattered in the wake of the Kuwait invasion and turn-

over and profits lost from the failure of Lowndes Queensway, which accounted for 10 per cent of sales, Kosset had between £4 million and £5 million of spare facilities or surplus cash. In addition, a credit insurance programme with Trade Indemnity limited the Lowndes Queensway losses to £15,000.

Such measures allowed Kosset to snap up another well-known carpet brand, Crossley, when it was sold by receivers in January. Although the purchase price has not been disclosed, John Parker, Kosset's chairman and

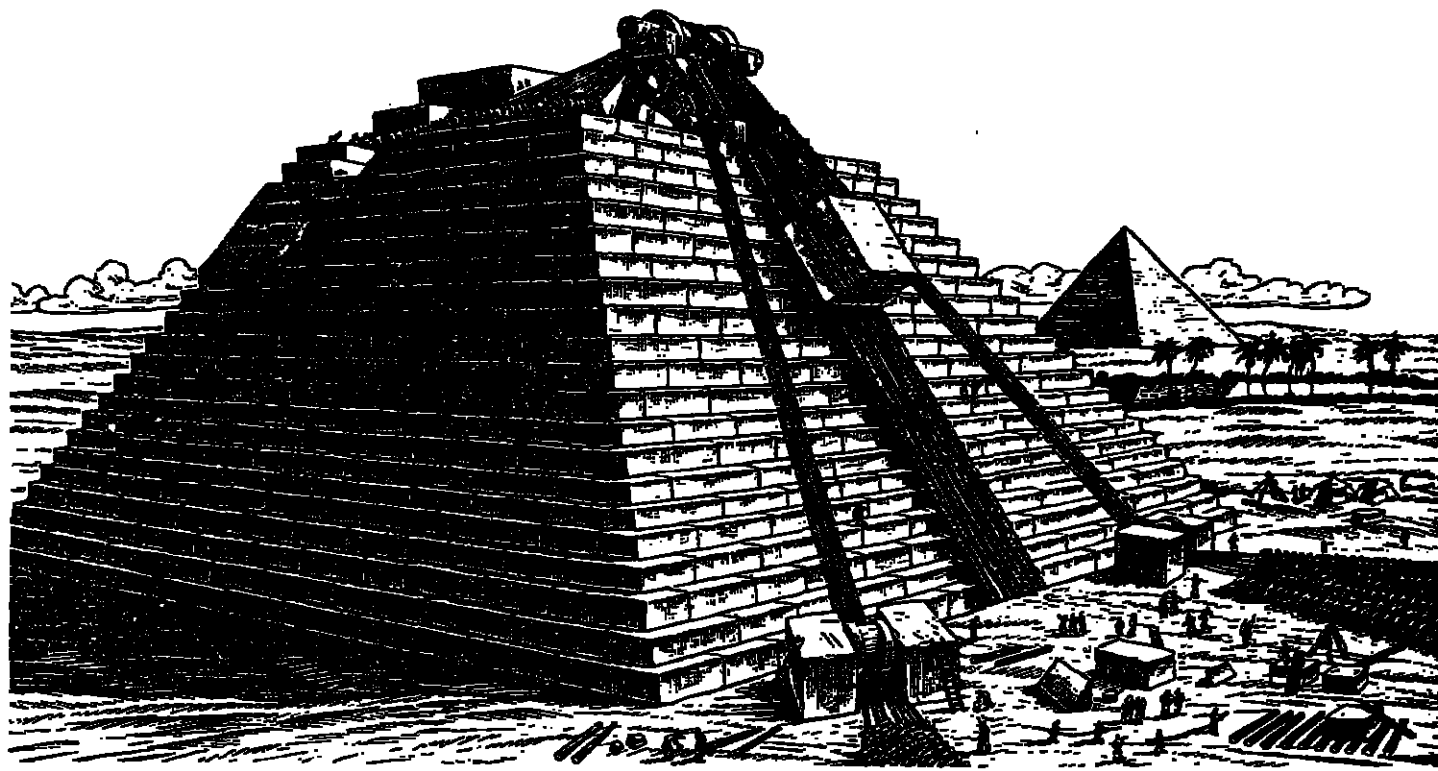
chief executive, estimates that the asking price would have been 60 to 70 per cent higher if Coloroll had still been in business.

The disadvantage of the receivership was the amount of effort needed to persuade suppliers and employees that they were not about to lose their money and jobs.

After the trials of the first six months as an independent company, Mr Parker and his management are taking a "steady as she goes" approach until business improves. They expect this to happen towards the end of the summer, but as they have already discovered, nothing is predictable.

JONATHAN PRYNN

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The man who bought the Storehouse store: Colin Pilgrim confounds the pessimists

## Signed, sold and healed

FINANCE to buy out Heal's, a London furniture store, was sought by Colin Pilgrim early last year. With Magnet, MFI and Lowndes Queensway dominating the headlines, few

backlogs responded eagerly (Jonathan Pryn writes).

Two expressed interest to Mr Pilgrim, the chief executive of what was then a Storehouse group subsidiary. Eventually, County NatWest Ventures decided to lead the deal, which was completed in

September for £3.75 million. Storehouse had announced in 1989 that it was to concentrate on its three core businesses. Mr Pilgrim approached the group and in January last year began drawing up a deal. The economic climate made a conservative package essential. The debt element of the initial financing was less than half the total.

"We realised management would have to release more equity than we would like to have done," Mr Pilgrim says. Heal's, which lost £1.9 million in its last year with Storehouse, has so far confounded the pessimists. Christmas and sales trading have exceeded projections and there is a feeling of confidence among the workforce. "For all 200 employees there is a new sense of identification with the business," Mr Pilgrim says.

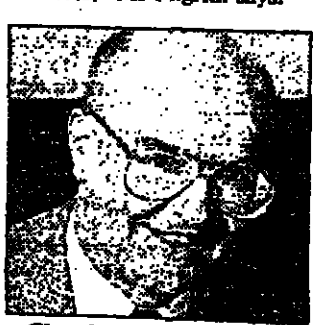
## Laughs all the way

ASK many venture capitalists what qualities they look for in buyout managers and a sense of humour is high on the list. This asset was vital in the £82 million buyout of Anglian Windows from BET, after ten months' negotiations.

Bill Hancock, Anglian's chief executive, recalls: "I was told there are always at least three occasions in any buyout when you become convinced the deal is off. We had our share of those moments."

A good relationship with the lead investor is essential, if seemingly intractable problems are to be overcome. The chemistry between Anglian's team and Legal & General Ventures, which led the deal, was a big factor in the success of negotiations. "There were times when we had to cheer up the investor and when the investor had to cheer us up. Either way we ended up laughing," Mr Hancock says.

He also advises buyers to keep the finance structure sensible. Anglian's debt element was kept to a level at which the interest bill was no greater than the dividend the



Chemistry: Bill Hancock

company had been paying BET as a subsidiary. BET backed the deal with a £30 million loan note on which interest payments depended on performance.

If profits fall below forecasts in every one of the first five years, the interest payment to BET will be reduced accordingly. If the shortfall is more than the interest due on the loan note, BET can convert the loan note into shares. On exit, BET will participate in any profit on the sale proceeds.



# Giving the green light

**Rodney Hobson**  
on the man who  
says 'go' in public  
sector sell-offs

Splitting up the National Bus Company showed the scope for management buyouts offered by the privatisation programme. Of the 62 deals struck, 34 went with management or employee teams. In many early deals, when uncertainty hung over the future of the industry, managements were often the only bidders and they were able to pay less than the value of the net assets.

The transport department encouraged managements to join in the bidding, sponsoring a series of seminars for employees. The aim was to ensure that one big buyer did not end up dominating the whole bus network.

The buyout route to privatisation has also proved useful in new towns and for local authorities. "The objective was to cut down staff ahead of the wind-up dates for the new town corporations, while continuing operations," says Peter Silkin, the audit manager at the National Audit Office (NAO).

"The new towns went out of their way to encourage buyouts or to fold staff into consultancies so as not to lose employees, who would naturally start to worry about their jobs."

There has been an increasing number of buyouts in and around the public sector in the past several years. The total now stands at more than 100. Several were substantial, starting with the £53 million buyout of National Freight in 1982. Later, British Shipbuilders, British Steel, British Rail and British Leyland/Austria Rover all sold subsidiaries to existing management.

There have also been buyouts in local authorities, universities and health authorities. The first buyout of a government department took place in 1990 with the sale of the employment department's retraining facilities.

"The fact that assets pro-



Watchdog: Peter Silkin, National Audit Office manager

viously purchased and maintained with public money are being sold off, or contracts for services let, involves the public interest and requires a high level of public accountability," Mr Silkin says.

Special requirements include openness and fairness in dealings between parties, full disclosure of relevant information and setting a fair price.

The NAO is not involved in political policy-making, such as whether privatisation is desirable in principle or the encouragement of wider share ownership. The NAO's role is to look at privatisations by central government, after they have happened, to see if the deals were struck in accor-

dance with the public interest. Raking in most money is not the only consideration. The NAO wants to see the public continuing to receive good service at reasonable prices, given that the privatised concern may still have a monopoly or dominant position in the market.

Related undertakings remaining in the public sector may need to be sure that they can still get supplies and services from a privatised subsidiary.

The main potential benefits of privatisation buyouts include streamlined operations, the release of capital assets and resources, the removal of subsidies, better efficiency and

incentives for staff. The NAO checks that these considerations have not been offset by potential dangers, such as the buyout being undervalued and left vulnerable to a takeover bid.

"The sale package may unnecessarily include surplus assets such as spare land, which can be profitably disposed of by the new management," Mr Silkin says. "There may be serious gaps in the accounting and asset records of the existing public-sector operation, or deficiencies in management information and performance control systems."

"Or the new management team may lack sufficient business acumen to succeed in the open market. If the business were to collapse, the planned benefits from the buyout would be lost."

The NAO is particularly aware of the preferential negotiating position of the existing management, which is familiar with the operations, strengths and weaknesses of the business. It knows the clients and has a clear picture of prospects.

"The existing management must not act as both vendor and purchaser," Mr Silkin says. "The people handling the sale need access to inside information. The managers may know special factors that will influence the future of the company and these must be made known to other potential buyers."

The NAO takes a careful look at privatisation buyouts where a continuing trading relationship exists with public-sector clients. "This needs to be watched carefully to ensure value for money," Mr Silkin says. "Risks are likely to be higher than with other suppliers because the management buyout company has yet to bed itself in as a coherent trading entity, and its ability to meet standards, price and delivery are unproven."

"Privatising through buyouts can be a weakness or a strength. If a market exists for the buyout to move into, it can be very successful. But one of the lessons to be learnt from some local authority buyouts is that they should not be solely dependent on their previous business."



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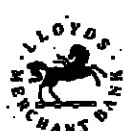
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| <b>CAMBRIDGE</b><br><b>CAPACITORS</b><br>buy-out - July 1990<br>Finance raised<br>£13 million   | <b>KNICKERBOX</b><br>Development Capital -<br>February 1990<br>Finance raised<br>£2 million  | <b>BPCC</b><br>buy-out - January 1989<br>Finance raised<br>£265 million  |
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| <b>FAIREY</b><br><b>GROUP PLC</b><br>buy-out - December 1986<br>Finance raised<br>£50 million<br><b>FLOTATION</b><br><b>NOVEMBER 1988</b> | <b>CARADON PLC</b><br>buy-out - October 1985<br>Finance raised<br>£66.7 million<br><b>FLOTATION</b><br><b>JULY 1987</b><br><small>Acquired by MB Group in October 1989</small>   |  |

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John Patten: judges must maintain independence from Parliament and government

# A sentence to fit the time

While judicial consistency is welcomed, conformity in sentencing decisions is not, John Patten writes

LEGAL BRIEF

I am a politician, with some responsibility for criminal law, but I am not a lawyer. I can only imagine what it must be like to be a judge, though ministers, accountable to Parliament as they are, must sometimes share with judges and magistrates the experience of individually taking difficult and sometimes unpopular decisions in the full glare of publicity.

However, that is in the nature of both callings, and independence is essential if judge or minister is to take proper decisions. Independence should, however, never be confused with isolation. All ministers know how vital is the disinterested advice of civil servants in order to provide the context for decision-taking.

It is clear to me that judges and magistrates, like ministers from their civil servants, get lots of advice from different directions - from the Court of Appeal, from guideline judgments, from the Judicial Studies Board, or wherever. Should they get more?

Sentencing councils are the most fashionable nostrum these days for how much that advice might be formalised. There seem to be almost as many recipes as there are cooks, producing councils, commissions or whatever, they vary in how much guidance or instruction should be given to the courts on sentencing, and by whom it should be given.

At the end of this road stands Minnesota, in the United States. There, I am told, the local sentencing commission has produced eight numerical guidelines for prison sentences, which have taken the form of a "sentencing grid". Two axes deter-

mine the presumptive sentence. Along one side are the offence categories and along the other categories of "criminal history". So the ultimate sentence really depends on where the points along each axis occupied by the offender meet in the middle.

Local observers of this sentencing by numbers say the discretion has shifted from the judge to the prosecutor, who naturally has a clear idea of what sentence is likely when he or she decides what charge to bring.

Minnesota is an extreme case. I know that nobody in this country has produced anything like it, however enthusiastic they might be as exponents of a sentencing council. But supporters of a council are often less than clear about the amount of judicial discretion that would be removed.

Parliament - and certainly ministers - should not tell judges how to sentence in particular cases. Sentencing rightly concerns us all. The country has considerable interest in what happens to those who break its rules, or from whom it needs to be protected. Sentencing principle and sentencing practice are matters of legitimate concern to government, therefore.

In setting maximum penalties, Parliament gives to courts both elements of sentencing power, and

provides them with a clear indication of its view of the relative gravity of different offences. In addition, it is difficult to see how differences of opinion between sentencing councils and Parliament could be resolved easily in practice.

In the end, it is for Parliament to ensure that the framework within which sentences operate is right. But neither government nor proponents of sentencing councils should ignore the changes in sentencing trends that are already going on.

The Eighties saw a revolution in the way in which burglary and theft are treated, which has resulted in changes in the prison population of an extraordinary, and largely unseen, kind. Those convicted of burglary, theft and related offences accounted for half the prison population in 1983, but this dropped to a third by 1989.

At the same time, and following the very important Court of Appeal guidance in *R v A* (1986), custody is now being used much more for violent and sexual offenders. At the end of the Seventies, less than 30 per cent of the prison population were there for violence against the person, sexual offences or robbery, but this has reached nearly 45 per cent by the end of the decade. The criminal justice bill at present

before Parliament may reinforce some of these trends, and it is for the government to ensure that the framework within which judges and magistrates operate is right, while recognising that an absolutely uniform outcome in sentencing is neither desirable nor obtainable.

Those who ponder sentencing councils must not ignore that which is already in place, potentially providing so much of what they may want to see, but in a way that works with the grain of the criminal justice traditions of this country. For there is a first-of-its-kind framework for developing, fourfold framework for judges and magistrates.

In no particular order, first, there is the coherent statutory framework for sentencing in the new criminal justice bill, as we do not think that Parliament has said enough about the principles that govern sentencing decisions. Second, there is the power for the Attorney-General to refer cases to the Court of Appeal, where sentences are allegedly over-lenient. Third, the powerful effect of guideline judgments with the Court of Appeal is self-evident. Last, the work of the Judicial Studies Board seems to be of ever-increasing importance in training and guiding the sentencers in their work. This is a powerful package.

These developments are entirely consistent with maintaining the different functions of the legislature, the judiciary and the executive. They will, increasingly, help the hunt for the Holy Grail of judicial consistency without imposing the dead hand of conformity.

The author is minister of state at the Home Office.

## Law Report February 5 1991 Court of Appeal

### Determining purpose of commercial transaction for tax purposes

*Ensign Tankers (Leasing) Ltd v Stokes* (Inspector of Taxes) Before Sir Nicolas Browne-Wilkinson, Vice-Chancellor, Lord Justice Stuart-Smith and Lord Justice Leggatt [Judgment January 30]

Whether a transaction having commercial features was for tax purposes a trading transaction or merely a device to secure fiscal advantage was a question of fact for commissioners to decide, the ultimate question for them being "what was the purpose of the transaction?"

If the answer to that question, on an objective analysis, was equivocal, then the subjective intention of the taxpayer would normally be decisive in determining the purpose. The Court of Appeal so stated in allowing an appeal by Mr Justice Millett (*The Times* July

26, 1989; [1989] 1 WLR 1222) whereby he had allowed an appeal by the taxpayer company, Ensign Tankers (Leasing) Ltd, from a determination of the special commissioners and had held that transactions whereby capital expenditure was incurred by limited partnerships on acquiring master film negatives were trading transactions that entitled the taxpayer company to first-year allowances under section 41 of the Finance Act 1971. The matter was remitted to the commissioners for their reconsideration.

The taxpayer company was given leave to appeal to the House of Lords.

The taxpayer company had embarked on a series of transactions to secure fiscal advantages. It entered into two limited partnerships that were set up to finance production of two films that were in the course

of being made. Its purpose was to claim the allowances then available under section 41 of the Finance Act 1971.

The partnerships that negotiated the transactions entered into agreements whereby they contributed substantial amounts towards the cost of producing the films and undertook to meet the entire costs of the production company in return for acquiring the ownership rights of the films.

Further, loan agreements were entered into by the partnerships whereby the production companies lent to the partnerships amounts sufficient to meet all the budgeted cost of completing the films and agreed to make any further loans to the partnerships of amounts needed to complete the films should they run over budget. Those were non-recourse loans being repayable only out of the receipts of

the films.

The commissioners dismissed the taxpayer company's appeal against the refusal by its tax inspector of its claim for capital allowances on the ground that the transactions by the partnerships had fiscal motives as their paramount object and as such were not trading transactions with the consequence that neither partnership was trading and the expenditure by the taxpayer company did not qualify for the allowances.

Mr Christopher McCall, QC and Mr Laurence Henderson for the Crown; Mr John Gardner, QC and Mr Roger C. Thomas for the taxpayer company.

THE VICE-CHANCELLOR said that in relation to each film the questions arising were (i) was the limited partnership "a person carrying on a trade"; (ii)

did the film "belong" to the partnership; and (iii) did the partnership "use" expenditure in the purchase of the film?

It was of fundamental importance to appreciate that the relevant questions all depended not on the actions and intentions of the taxpayer company but on those of the partnership as a body.

Mr Justice Millett, in allowing the taxpayer company's appeal, correctly pointed out that the commissioners had erred in holding that as a matter of law transactions entered into "with fiscal motives as their paramount object" were not trading transactions.

It was common ground that the only relevant question was whether the partnership, as opposed to the taxpayer company, had entered into the arrangements as commercial transactions.

The judge, having found that the commissioners had not directed their findings to that point, having largely concentrated on the motives of the taxpayer company, held that they had misdirected themselves. He then concluded that on the primary facts found by him the partnerships there was only one possible conclusion, namely that the transactions were trading transactions.

The grounds on which the judge decided that the commissioners were wrong in law in reaching their conclusion and the grounds on which he based his own decision that there was only one possible result, namely that those were trading transactions, were incorrect.

Moreover, the commissioners' holding that as a matter of law it was not a trading transaction, since the paramount intention was to obtain a fiscal advantage, constituted an error of law. See *Overseas Containers (Finance) Ltd v Stoker* (1988) 60 TC 606.

What was the ultimate question? When a transaction contained some element of trade but also a paramount fiscal objective, how should the commissioners approach the question whether it was a trading transaction?

The relevant questions, which were derived from Lord Simon of Glaisdale's speech in *Lupton v F. A. & A. B. Ltd* ([1972] AC 634) were: was this a transaction which was palpably part of the trade of engaging in film production? If so, it would not cease to be so because there was a fiscal advantage even if that intention conditioned the form of the

agreements. Or was it in reality merely a device to secure the allowances? If so, it would not be trading notwithstanding that the terms were normal in commercial transactions of the same kind.

If the matter was in doubt, the intentions of the partnership would be relevant and might be decisive.

To summarise the law in the case the position was:

1 Whether a transaction was to be classified as commercial normally fell to be determined objectively by reference to the nature of the transaction itself. 2 Additional to the outward badges of trade, to be a trading transaction, its purpose had to be commercial.

3 The question "was it trading?" was one of fact for the commissioners.

4 In deciding that, the commissioners had to look at the transaction as a whole including the steps taken for its implementation.

5 The commissioners had to decide whether the transaction was in reality merely a device to secure a fiscal advantage or a genuine trading activity.

6 The ultimate question always remained "what was the purpose of the transaction?" It was to be answered by an objective analysis of the transactions.

7 If the appearance of the matter on an objective analysis was equivocal, the subjective intention of the taxpayer was relevant in determining the purpose and would normally be decisive.

8 A transaction could be equivocal and therefore evidence of subjective intention was relevant.

9 Although the purpose of other parties to the transaction was relevant, the question was whether the taxpayer was trading, just because a party to the transaction had no fiscal objective, it did not follow that taxpayer, as a party to the same transaction, was also engaged in trade.

10 If the sole purpose was to gain fiscal advantage, in law that could not amount to trade.

11 If the transaction had some commercial features but an element of fiscal advantage, it was for the commissioners to weigh the conflicting elements to decide whether the transaction was entered into by the taxpayer for essentially commercial purposes, or for obtaining a fiscal advantage under the guise of a commercial transaction.

The appeal should be allowed and the case remitted to the commissioners to reconsider their decision in the light of the judgment.

Additionally, the judge held that the principle in *W. T. Ramsay Ltd v Inland Revenue Commissioners* ([1982] AC 310) did not apply to the case. The Crown had not appealed against that decision which was plainly correct.

Finally, no view would be expressed on the Crown's argument that the partnership had not "incurred" the expense of purchasing the films for the purposes of section 41 of the Finance Act 1971.

Lord Justice Stuart-Smith agreed and Lord Justice Leggatt gave a concurring judgment.

Solicitors: Solicitors of Inland Revenue; Mr F. D. Macintosh.

### Citizenship of children born to UK citizen in British protectorate

*Motola v Attorney-General* Before Lord Donaldson of Lynton, Master of the Rolls, Lord Justice Beldam and Lord Justice Nolan [Judgment January 30]

The status of a British protected person in the context of the British Nationality Act 1948 was different from and inconsistent with that of a citizen of the United Kingdom and Colonies. Therefore, where the applicants, the children of a citizen of the United Kingdom and Colonies, were born in the British Protectorate of Northern Rhodesia, they became citizens of the United Kingdom and Colonies by descent, not British protected persons, and their status remained unaffected by Zambian independence legislation which provided on independence that automatic citizenship of Zambia in respect of British protected persons, but made no express provision altering the status of citizens of the United Kingdom and Colonies.

The Court of Appeal so held in dismissing an appeal by the Attorney-General from Sir Stephen Brown, President of the Family Division (*The Times* December 13, 1989) who had granted declarations that the marriages of the parents of the applicants, Safiya and Faruk Motola, was valid so that they were the legitimate children of Ismail Motola and that they were citizens of the United Kingdom and Colonies by descent. The Attorney-General appealed solely on the issue of citizenship.

Section 3 of the Zambia Independence Act 1964 provides: "(3) ... any person who immediately before the appointed day is a citizen of the United Kingdom and Colonies shall on that day cease to be such a citizen if he becomes a citizen of Zambia."

Mr Edward Holman for the Attorney-General; Mr Andrew Collins, QC and Mr Safya Dhama for the applicants.

LORD JUSTICE BELDAM said that the applicants had been born in Northern Rhodesia in

1962 and 1964 respectively. Their father, a citizen of India, had become a citizen of the United Kingdom and Colonies by registration in 1953 pursuant to the British Nationality Act 1948. Under the provisions of the Act the applicants had become citizens of the United Kingdom and Colonies by descent at birth.

His Lordship referred to the history of the concept of nationality evolving from that of allegiance and of subject status in the context of territory being added to the Empire. He said that the term "British protected person" first appeared in primary legislation in the 1948 Act despite its earlier use in Victorian times.

In his judgment, which persons belonged to or came within a particular status or class as defined in the Act and regulations made thereunder depended on the proper construction of the Act and regulations; and whether a person so given one status was intended at the same time to be able to possess another, or to retain membership of a different class, could only be decided by looking at the scheme of the Act, its historical context and the attributes conferred on each class.

Under Part II of the Act citizenship of the United Kingdom and Colonies was acquired by birth, descent or registration, and might be acquired by naturalisation or incorporation of territory. A person whose father was a citizen of the United Kingdom and Colonies at the date of his birth would himself at birth acquire that status.

A British protected person, like an alien, had to apply for citizenship by naturalisation and could do so if of full age and if he had the appropriate connection with a protectorate or protected state. Grant of naturalisation was in the case of an alien discretionary, citizenship not being acquired until the oath of allegiance had been taken.

The right to apply for naturalisation and to register his

wife as such a person were the only rights conferred on a British protected person. Nor was it necessary for the Act to confer on a citizen of the United Kingdom and Colonies any right or privilege or to be under any additional duty by virtue of his connection with a protectorate.

Mr Holman had argued that the applicants were clearly within the definition of the class of persons having the status of British protected persons and the Act neither expressly nor impliedly provided that one status excluded the other.

In his Lordship's judgment, it was unnecessary for the Act to do so. The clear implication from its form was that the status of a British protected person was different from and inconsistent with that of a citizen of the United Kingdom and Colonies to which it added nothing.

The Act was drafted against the background of the common law which traditionally regarded protected persons as aliens who were in practice exempted from some of an alien's attendant disabilities. It must have seemed unnecessary to state that a citizen of the United Kingdom and Colonies was not and could not at the same time be a British protected person.

Moreover, reference to other independence legislation showed that when in the citizenship provisions of a new country it was intended that a citizen of the United Kingdom and Colonies should lose that status and become a citizen of the newly independent state, that status was referred to expressly.

His Lordship therefore concluded that as the applicants were citizens of the United Kingdom and Colonies and not British protected persons they did not become citizens of Zambia on the relevant day and their status accordingly they retained.

Lord Justice Nolan agreed and the Master of the Rolls delivered a concurring judgment.

Solicitors: Treasury Solicitor; Kevilla, Leyland.

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# Training courses by the book

The increasing inventiveness of the organisations now providing legal training was highlighted at a London convention for legal educators last month. Perhaps the most significant development among a variety of bright ideas came from the magazine *PLC* (Practical Law for Companies), which has just started a distance learning programme that counts for Law Society continuing education (CE) points.



New routes to know-how: Chris Millerchip (left), Richard Yonard (centre) and Robert Dow, of PLC

Taking advantage of the new CE regulations, the *PLC* initiative breaks new ground by acknowledging that reading magazines and other publications is a valid and recognised way for lawyers to refresh their skills and knowledge. Chris Millerchip, of *PLC*, says: "We are very pleased indeed that we have been accredited by the Law Society. It is a form of official confirmation of the quality of the articles we carry. It also enables the magazine to be used to much greater effect by our subscribers."

*PLC* is one of the new breed of legal magazines launched last year. Unlike most, however, it specialises in legal techniques and processes and is widely read in business circles outside the legal profession.

By giving detailed briefings on the conduct of important transactions, written by practitioners in leading firms, *PLC* is offering a constant supply of new legal know-how. By gaining the Law Society's endorsement for CE points, Mr Millerchip has ensured that this know-how will be digested and absorbed into the legal education system at a fraction of the cost of conventional courses. "We hope legal trainers in the

know yet how the market will respond to the price. It will be an interesting experiment."

Cost-effectiveness is a prime concern for Central Law Training, which has also just launched its series of new "Practitioner Class" courses. The courses are based on the total immersion concept and are intended for lawyers wishing to switch specialisms, for redundant lawyers wishing to add to their portfolio of expertise, and for qualified women returners who need to update their skills.

Charles Brady of Central Law Training, says: "Given the decline of certain types of work, especially in the property field, we saw a need for qualified people to have the opportunity to acquire new skills in those specialisms where demand is still strong."

Central Law Training is now offering courses in insolvency, employment law, personal injury, company and commercial law and litigation. They are all fields in which demand for legal services is still fairly buoyant. Every course lasts a full working week and is intensive. The courses are intended to take participants with little knowledge through to a basic standard of competence. They are highly practical and will enable lawyers to make a fresh start.

Mr Brady says: "Rather than losing good people, it is better for firms to retrain them through something like our practitioner courses and avoid the risk and cost of recruiting somebody new."

● *PLC* may be contacted on 071-733 3303, *Legalease* 071-286 1890 and *Central Law Training* 021 633 4440.

## INNS AND OUTS

### Sunday solicitors

CLYDE & Co is moving into overdrive with the Gulf crisis. After the Lloyd's of London decision to stay open on Sundays, the firm has decided to keep its office in the Lloyd's building open during the weekend.

The recommendation by the Commercial Court Users Committee, chaired by Stella Simison, a Clyde partner, that the British system of issuing writs should be brought into line with that of other European countries, has now been adopted. As a result, solicitors can issue writs to their clients 24 hours a day, 365 days a year via modern fax facilities now installed in the Admiralty and Commercial courts. On the basis that the first writ issued determines the time in which the dispute is litigated, the new system should give British parties a fighting chance of getting their case into an English court.

### Gulf trap

THE Gulf war may have a direct impact on thousands of commercial contracts, most of which were signed long before Iraq invaded Kuwait. Most contracts contain the often ignored *force majeure* clauses, usually phrased in biblical terms, referring to events from plague to an act of God. They may, however, hold the power to render contracts that have no link with the Gulf region null and void.

The problem is intensified if the contract refers to established standard form contracts, as in the case of the construction industry. Clause 32 of the JCT Standard Form of Building Contract refers to "an outbreak of hostilities (whether war is declared or not) in which the United Kingdom is involved on a scale involving the general mobilisation of the armed forces of the Crown". That seems to reflect accurately the position in the Gulf, although Michael Gibson, at Berwin Leighton, disagrees.

He says: "The logic behind the clause suggests that it should operate only where any civilian call-up adversely and materially affects the det-

ermining parties' ability properly to perform in obligation. Any attempt to operate the clause in the current circumstances would be unscrupulous." Nevertheless, he suggests it would be sensible to modify the wording of clause 32 in all contracts now under negotiation.

### Disabled deal

FURTHER suggestions for legislation on the employment of disabled people have come from the National Advisory Council on the Employment of Disabled People, a body appointed by the employment secretary.

In June the government produced a consultative document on the employment of disabled people. In a recent report the council has prescribed a wider role for the government than the consultative paper put forward.

At present disabled people rely on an employer's voluntary code of practice, which the council argues is not enough. Instead, it recommends legislation based on the health and safety laws, which would include a mechanism to allow disabled people to challenge discrimination by employers in the courts.

### Regional bias

A TREND in favour of regional law firms among students who simply "want to be outside London" is likely to boost recruitment for the large number of provincial practices taking stands at this year's Law Fair. The fair, which is expected to attract more than 80 employers, is being held at the Business Design Centre in Islington, north London, on March 14 and 15.

On the strength of last year's event, it is likely that more than 5,000 students will turn up to meet potential employers both from inside the profession and outside it. The fair is organised by London university's careers advisory service, and sponsored by the Law Society, the Bar and The Times.

● Further information: 071-387 8221.

SCRIVENOR

## Government guarantee for the terror victims

HEADLINES about "Terror Fears Cripple UK Tourist Trade", and we naturally reflect on aviation security. If security fails, who pays? The 1929 Warsaw convention established the principle governing the liability of airlines for the international carriage of passengers, baggage and cargo. The convention, as amended by the 1955 Hague protocol, limits the liability of airlines in most cases of personal injury or death to about £30,600 a passenger.

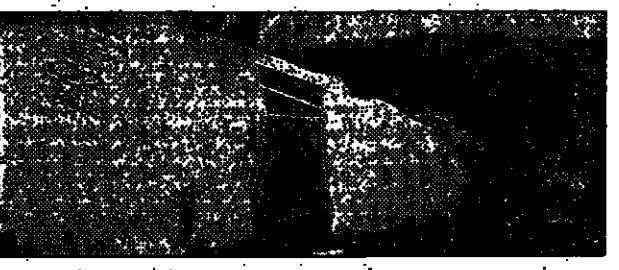
The maximum liability limit for personal injury or death suffered on flights to, from or with an agreed stopping place in the United States, fixed by a special contract in 1967, is \$75,000 (about £39,000), but many airlines have gone further by offering to pay damages of up to the local currency equivalent of 100,000 special drawing rights (SDR) or about £75,000 for personal injury or death occurring on all their services.

Victims or their families can obtain compensation above these limits only if they can prove the willful or reckless misconduct of an airline, unless manufacturers or other third parties are responsible. However, successful proof of willful or reckless misconduct, usually by reference to a subjective standard, is rare, not to say unknown.

In March 1971, the Guatemala protocol was signed with the intent of increasing the limit to £72,000. Montreal additional protocol No 3

(MAP 3), signed in 1975, was intended to convert the "convention" gold franc figure, on which the £72,000 was based, to a fluctuating figure of the local currency equivalent of SDR 100,000.

However, neither Guatemala nor MAP 3 is in force for a variety of complex reasons. Many think this is just as well because, as a price for the



Better security after Lockerbie has not deterred terrorism

higher limit, both removed the right to "break" it by proving intentional or reckless misconduct. In other words, breakability was to be replaced by a fixed limit of SDR 100,000 subject to proof of loss. The value of these two proposals in 1971 and 1975 has now fallen by approximately 80 per cent so that, 20 years later, a more appropriate

figure would be £300,000 or more. The present limits are far too low.

Whatever the result of the Gulf war, the battle for Kuwait may continue to be waged by terrorism through the aviation industry for years to come. It must be inevitable that some new set of aviation terrorism will eventually succeed, despite the much improved security introduced since the Lockerbie disaster in December 1988.

However arduous the lawyers, victims cannot rely with any degree of certainty on allegations of air-carrier negligence to secure enhanced damages. The tort system is not meant to transfer the burden of compensation for crimes from one victim, the passenger, to another victim, the airline,

and it should not be used for this purpose. There is a strong case for government to take over the liabilities of airlines when death or injury is caused by war or terrorism, using an aviation criminal injuries compensation scheme.

If we are to continue to fly during the difficult times to come, and thus stop terrorists from winning by default, it becomes necessary for governments not only to strive to make flying immune to terrorism, but also to compensate the victims when safeguards fail, and passengers should be made aware of this.

PETER MARTIN FRAES  
● The author is a partner with *Freer Chameley* and the visiting professor of aerospace law at *University College London*.

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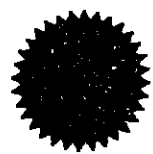
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# Game plan for a top score

Of the 2,100 professional footballers in England and Wales, only the top 20 per cent are financially well-off, says Micky Burns, of the Professional Footballers' Association (PFA). "Football is a competitive industry and only very talented and lucky youngsters make it to the top," he says.

A fourth-division player earns no more than the average working wage, and a third-division player makes "a comfortable living but only for a short time".

The usual route into the game is from associated schoolboy to youth trainee to a full contract. The Football Association operates centres of excellence throughout Britain "to identify young players of outstanding ability and place them within an educational programme".

Recommendations to attend are considered from schools, county associations and league clubs. Selected youngsters from the age of nine can benefit from weekly coaching sessions. Although Football League clubs are among the bodies that run centres of excellence, a player who registers with a centre is not "signed on" for that club. Only schoolboys aged 14 and over may sign for a club. This is through the associated schoolboy scheme, and requires the consent of parents and head-teacher. This effectively gives clubs an option on a player's potential, with a maximum of 30 boys a club. The next step is to be offered a youth traineeship, but most will not make the grade.

Every year about 600 youth

**Professional footballers must follow clearly defined career paths, but are well advised to consider wider roles, Derek Morgan writes**

training places are available with football clubs. The early products of the scheme, such as Tony Adams and David Platt, are now international players. Trainees receive a basic rate of pay, although clubs can top that up.

Nottingham Forest football club has 18 youth trainees and 35 full professionals, three teams for contract players and an under-18 youth-trainee team. Trainees can play for the first team. The club has a residential hostel and trainees receive travel expenses for six home journeys a year.

Allen Clarke, the youth development officer for Forest, arranges schoolboy trials. "They come to stay with us for a few days to see if they like us, and we need to learn about their attitudes and their ability to mix with people," he says. Training covers fitness, skills and tactics, and weekly routines are geared to match days. It is not a cosseted life. Trainees clean out changing rooms and are allocated professionals to look after, which includes laying out kit and boots every day.

All trainees attend college on day release. "It is a short, precarious career," says Mr Burns, who is the education officer for the PFA's Further Education and Vocational Training Society, which is jointly managed by the Football League.

He says second-career training is important. Forest's youngsters attend a further education college to study for a City and Guilds qualification in recreation and leisure. Players with four GCSEs can take a BTEC National Certificate in leisure studies.

About two in three youth trainees are offered a professional contract. Mr Clarke says that if you are not good enough for one club, you can try elsewhere. Players also come in by the non-league route, such as Forest's Stuart Pearce and Gary Crosby. Mr Burns did not turn professional until he was 23.

He took a BSc economics degree at university and taught for a year before taking the plunge. Well-known players who have graduated before signing forms include Steve Coppell, the manager at Crystal Palace, Lawrie Sanchez, of Wimbledon, and Tony Galvin, of Swindon Town.

Players have a wider role to consider than their performance. They are involved with the club's public relations, not only for commercial sponsors, but also in community development work. Established players must continue to think about the future. They can pursue coaching qualifications through preliminary and preparatory courses to full badge.

The PFA helps to fund second-career courses such as driving instruction and computing. Barnsley's Clive Baker has taken an Open University degree and Tony Agnew, the Sheffield United striker, is learning to play the saxophone to develop his potential as a professional musician.

The PFA is hoping that former players will, after suitable training, be able to referee league matches, for which the pay is £100 a game plus expenses.

Serious injury can come out of the blue. Players are insured for a basic £2,250, but can take out their own insurance through PFA Financial Services. Every youth trainee and professional is covered for private medical insurance. Contract players belong to a non-contributory pension scheme.

Some players aspire to management, which Simon Barnes, *The Times* sports writer, says has "the job security of snow-shovelling".

On the non-playing side, football offers career opportunities in commercial management, securing sponsor deals and selling hospitality packages to companies wishing to entertain. Administration requires a secretary and a treasurer. Stadiums need staff. Several clubs have women secretaries. Annie Basset is Birmingham City's chief executive.

It is not generally worth writing to clubs for a trial. Mr Burns advises those interested to "play to the highest level you can".

He adds: "The football industry is a one-off. It is not a science, it is an art."



On the ball: Forest's Gary Charles signed schoolboy forms at age 14 and professional forms at 18

THE England under-21 player Gary Charles is a young professional with Nottingham Forest. He plays right full-back or central defence. He was seen by a Forest scout playing for Newham Schools in east London and at the age of 14 he signed schoolboy forms. "It was what I had always wanted to do and I had no doubts about going into football," says Charles, now 20. He trained in

Nottingham while still playing for Essex Schoolboys. After two years of youth training, Charles signed professional forms. He has played several times for Forest's first team and for Leicester City on loan. Charles, who has four England under-21 caps, does not

see professional football as just a job. He says: "You really have to enjoy the game, otherwise you would not be able to cope with the ups and downs. We get paid for something we love doing. You do not get big rewards until you are established in the first team." Charles's ambition is to be selected for the full England squad. "You know then that you are doing well," he says.

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Recognised as one of the 51 "Gem Towns" in England, Barnard Castle lies at the administrative centre of Teesdale. As this is the largest district in County Durham, on the edge of the North Pennines and boasting some of England's most beautiful countryside, you will appreciate the importance we place on the integrity of this role.

The Council is seeking to address the challenges of the 1990s and recently agreed department restructuring has created this outstanding opportunity. Reporting to the Chief Executive as a Director you will be a professional with responsibility for continuous development to achieve the Council's policies.

An essential pre-requisite will be your track record of achievement in management at the highest level. Interpersonal communication and strong leadership skills are also vital in addition to a relevant professional qualification, with the ability to motivate a multi-disciplined department.

A competitive salary, car lease facilities with an allowance of £3,000 towards the leasing costs, and relocation package including temporary housing will be offered to the individual who can make a positive contribution to the district of Teesdale.

For an informal discussion about this post, please call Eric Fell, Chief Executive on (0833) 690000, extension 204.

Application forms and an information pack can be obtained from the Personnel Officer, Teesdale District Council, 43 Galgate, Barnard Castle, Co. Durham. Tel (0833) 690000 Ext. 205. Applications must be returned by 1.3.91.

Teesdale District Council is an Equal Opportunities Employer and welcomes applications from disabled persons.

## TEESDALE DISTRICT COUNCIL

Isn't it time you took complete responsibility?

### GENERAL MANAGER

£35k + performance related pay + benefits  
(3 year rolling contract)

*At Barnsley Family Health Services Authority we have responded positively to the changes over the last few years in the NHS. With the NHS reforms there are exciting opportunities for FHSAs to work with District Health Authorities and Local Authorities in developing local, responsive primary care services. We see ourselves as a business and, of course, all businesses need to keep their customers satisfied. Implementing this philosophy, we continually listen to patients' comments and have already created a positive image in the local community through the introduction of several new initiatives in the area of primary health care.*

*Sharing our commitment and objective to raise the profile of the FHSAs in the area, you will lead a multi-disciplinary team of professionals and will be working closely with General Practitioners, Dentists, Pharmacists, Opticians and General Manager Colleagues in other Authorities. Amongst other things this will involve planning and development of family health services, controlling budgets and ensuring adequate provision of primary care services.*

*With such a high level and broad range of responsibility this role will ideally suit a management professional with a good educational background and impressive record of success. Effective under pressure you should be an exceptional communicator on all levels and have the ability to formulate strategic goals as well as innovate and manage change.*

*In return the rewards are high, and include an excellent salary, performance related pay, lease car and pension scheme. Barnsley itself can be viewed as another benefit, providing a stimulating living and working environment, where house prices are amongst the lowest in England and the amenities cater for all tastes and ages.*

For an informal discussion please contact Mr A.W. Sherriff, Chairman. Tel: (0226) 733221. Application forms and information pack are available from Michelle Slamm, Personnel and Training Officer, Barnsley Family Health Services Authority, 118 Gaudier Rd., Barnsley S75 2PS. Tel: (0226) 733221. Closing date for receipt of completed applications: 22 February 1991.

**BARNLEY FAMILY HEALTH SERVICES AUTHORITY**

### PUBLIC & HEALTH CARE

## CYSTIC FIBROSIS RESEARCH TRUST MEDICAL AND SCIENTIFIC ADMINISTRATOR

The CFRT wishes to make an appointment to the above which is a new post, and has been created as a result of the expansion of the Trust's work.

The MSA will provide the main channel between the Trust's Research & Medical Advisory Committee, which is the body responsible for all major medical and scientific grants, and the hospitals and universities holding those grants. The Administrator will also be required to liaise with the Trust's Branch network.

Minimum qualifications are a good degree and PhD in a relevant science subject, together with post-doctoral research experience.

This is a new and challenging opportunity to move from research into strategic research administration within a specifically orientated charity.

Salary circa. £20,000 pa according to age and experience. There is a staff pension scheme and a car is provided.

For further particulars apply to:-

The Director, Cystic Fibrosis Research Trust, Alexandra House, 5 Blyth Road, Bromley BR1 3RS.

CLOSING DATE FOR APPLICATIONS Thursday 28 February 1991.

### CanCell CH6 -v- HIV/AIDS Virus Project Trials.

The Bio-Medical Care Clinic is conducting a clinical trial study on the AIDS Virus using a safe, non-toxic energy and homeopathic formula, we are seeking the co-operation of Candidates to take part for a period of 21 days. No charges are required from any candidate, only their time and effort to complete our study programme. Enquiries should be made to our Helpline number

081-841-0495.

7.30pm to 9.30pm  
Monday to Saturday only.

To advertise in The Times Public Appointments please call:

071-481 1066

THE TIMES

### STRATFORD SCHOOL GMS

The GMS Office, Upton Lane, Forest Gate, London E7 9PR  
*A grant maintained Secondary School to serve the local community*

### ADMINISTRATION AND FINANCE OFFICER

The Governors invite applications for the newly established post of Administration and Finance Officer. The successful candidate will be responsible for the provision of administrative and support services, establishment work as regards teaching and non-teaching staff, the management of non-teaching staff, the general management of the premises and for financial matters and services.

Salary to £25k depending on qualifications and experience.

The school is to be incorporated on April 1st 1991, but the Governors are empowered to appoint before that date in order to prepare the school for its new status and responsibilities. However, appointment could be deferred to a later date if the successful candidate has a longer period of notice to serve from current post.

Further information from the Clerk to the Governors, 188, Manors Road, London E7 9PR, telephone 081 470 1450, fax 081 471 4684 to whom completed applications (letter, CV, and two referees) should be returned by Friday February 22nd.

## DIRECTOR OF NURSING

Due to the retirement of the present Matron in early June 1991, applications are invited from well qualified and experienced nurses to lead our team of approximately one hundred and thirty Nursing and Care Staff. Training experience would be an advantage.

This dually-registered Home, for 200 disabled residents, benefits from a delightful Richmond setting and has the highest reputation for care and rehabilitation therapy.

An attractive remuneration and accommodation package awaits the successful candidate.

For further information about this rewarding, responsible position and to arrange an informal visit, please contact The Secretary at the address shown or telephone 081 940 3514.

### The Royal Star & Garter Home

FOR DISABLED SAILORS, SOLDIERS & AIRMEN  
Richmond Hill, Richmond, Surrey. TW10 6RR

## Solicitor/Barrister

£19,395 - £24,519  
subject to performance  
Plymouth

There is considerable advocacy in this post mainly on child care work. Post admission/call experience is desirable.

If you seek challenging but rewarding work, living in a beautiful part of the country with easy access to two national parks, ask for an application form and further details plus those of our lease scheme, removal expenses and other benefits.

If you would like an informal discussion please contact Julie Shrimpton on (0392) 385464.

Application forms from County Solicitor's Department, Devon County Council, Room 641, County Hall, Topsham Road, Exeter, Devon EX2 4QD. Tel: (0392) 382223 (24 hour answering service).

Closing date: 20th February 1991.

### Devon COUNTY COUNCIL

Devon is an equal opportunities employer.

## Principal Solicitor

circa £26,000  
+ benefits including car

Develop your career in a challenging environment within a large, progressive metropolitan authority and play a part in ensuring the continued success of the Authority's initiatives.

The City Council has an opportunity for a lawyer to gain experience in a wide range of varied and interesting work within a team involved in Planning, Housing and Transportation issues. You will be advising departments and Committees and using your advocacy skills in the more important public inquiries.

You should have relevant experience, preferably with a working knowledge of local authority practice. Good communication skills and advocacy experience are essential.

For an informal discussion contact Geoff Day on 0705 834863.

For further details write to the Acting City Secretary & Solicitor, Portsmouth City Council, Civic Offices, Portsmouth, Hampshire PO1 2AL or telephone 0705 834045.

Closing date: 22nd February 1991.

### Portsmouth

Flagship of Maritime England



Simon Barnes investigates what makes tick one of the world's most celebrated tennis coaching centres

# Bollettieri's hot-lava factory of dreams

**Bradenton, Florida**  
THE Nick Bollettieri Tennis Academy. Vignette One: A small girl, a little under 4ft, with a 200-buck racket. Long fair hair, a baseball cap, and a T-shirt that reads, "Just do it!" She is running up and down the baseline hitting double-fisted backhands. Every time she hits the ball, she gives a little pink grunt. "Uhh!" she says. "Uhh!"

**Vignette Two:** A British girl, Jo Moore, aged 14, and studying at the Academy. Why don't I ask her how her lessons are going? The thought produces, like a rabbit from a hat, that frightful thing, a tennis parent: in this case, with Clint Eastwood haircut and Birmingham accent. "Jo's contracted with IMG, you see, and we like to control the press. Well, not exactly control..."

**Vignette Three:** Nick Bollettieri himself. Dressed in his usual working clothes: striped to the waist, eyes hidden behind racing-biker shades with hot-lava frames. He is teaching a couple of black Californians, Venus and Serena Williams, aged ten and eight. Bollettieri's voice is as hoarse as a professional wrestler's from constant roaring. "No, that's your old grip you're going back to! That's it, I love it!" After the eight-year-old plays 50 successive volleys, Bollettieri roars with laughter and says: "Get outta here! That's terrific! Terrible!"

There is a huge kindness in the voice, a surprising gentleness. What is more, Bollettieri is having a whole of a time. This, then, is the heart and soul of the operation: in the huge and dominant on-court personality of Nick Bollettieri.

And what an operation it is. "It's just like McDonald's," Bollettieri said, seriously. From September till May there are 225 full-time students at the Academy. They are aged, mostly, between eight and 18. They eat, sleep and have their being at the Academy, though they go to school elsewhere in the morning. It costs \$17,000 (about £8,600) a year, not counting school fees. A good many of the students get help, from the Academy itself and

from elsewhere. The help depends on the financial strength of the parent, and on the ability of the child. Rest assured that a truly promising child never needs to worry about financial competence: coaches and agents fall over themselves to sign them up. These kids are meal-tickets.

So much hope, so much inevitable disappointment. It is like turtles and the sea.

Bollettieri has certainly produced some good players in his time. Andre Agassi is the star pupil. Monica Seles was with him for four years, until it ended in tears and financial acrimony last year. There have been others in Bollettieri's 34 years as a tennis coach, though of lesser eminence: Krickstein, Arias, Bassett. He has attracted a huge amount of criticism, as you would expect.

When people over-stress a point to you, it is often a clear sign that the opposite is true. When you hear about the youthful average age of a town, you know you are discussing Bourne-mouth. Bollettieri is inclined to stress that his method encourages individual style and development of the whole person. Naturally, one is left with the conclusion that this is a tennis hot-house producing tennis clones.

The place has been called the No Serve Academy, from a perceived weakness in Bollettieri's technical coaching skills. People like John McEnroe have been scathing about Bollettieri's methodological approach. He has been criticised, too, for driving children too hard to the brink of despair and to even to thoughts of suicide.

It is true, however, that nobody goes through adolescence without traumas. You cannot blame tennis for puberty. People despair at Eton. Musical prodigies despair at the intensity of their own specialised education and the hopes invested in them. You are always on dangerous ground when talent shows early.

The Academy is as weird to British eyes as Eton would be to Bollettieri's (well, perhaps not quite that weird). The sight of the 200-odd students, all in their hot-lava shorts and "Just do it!" T-shirts, whacking balls on the 74

courts, is deeply disturbing. Bollettieri may or may not produce tennis clones; he certainly produces coaching clones. They all work stripped to the waist in black shorts and hot-lava shades. The all yell things like: "I love it!" They blow whistles a lot and are forever shouting: "OK, let's go!"

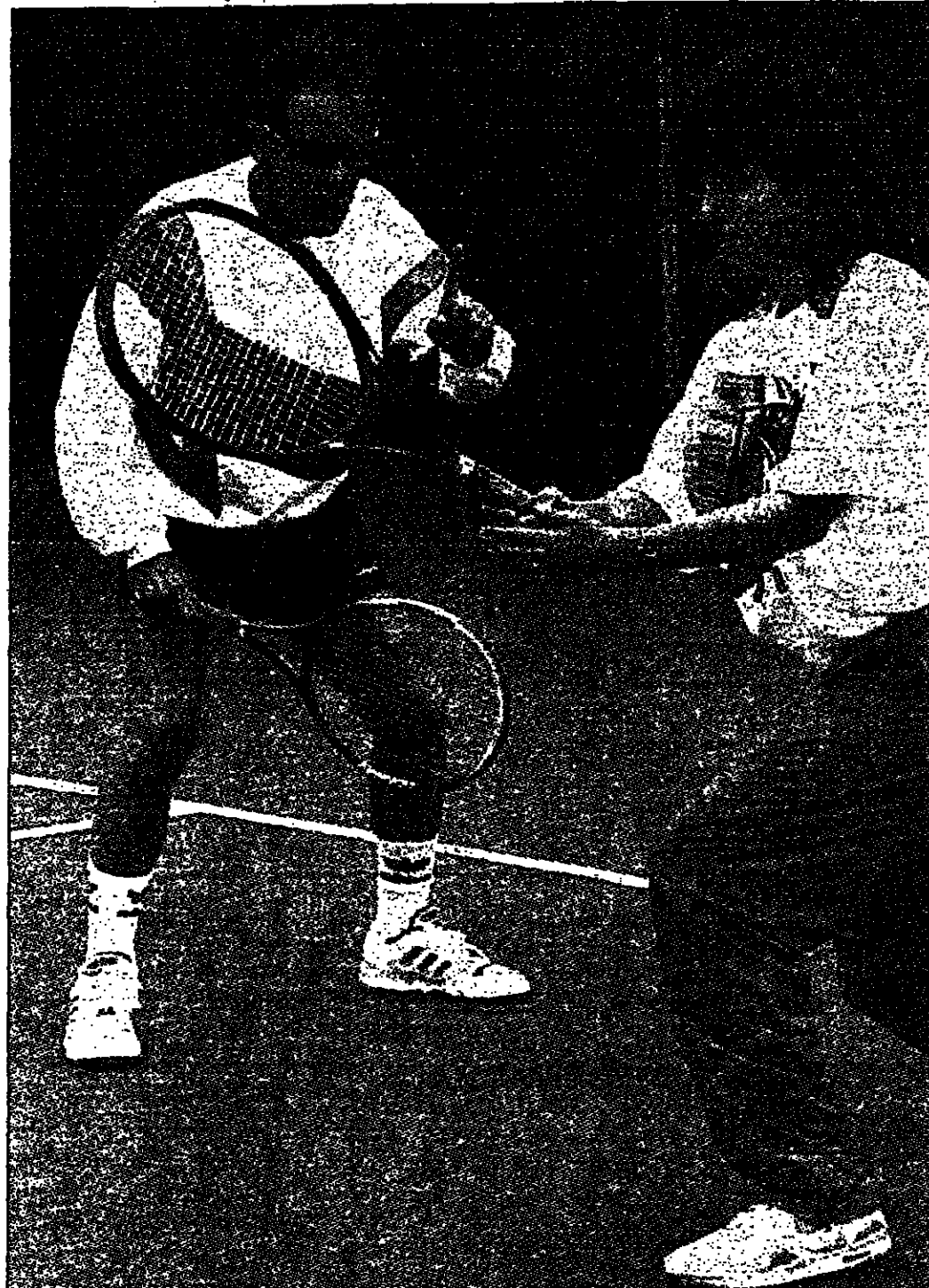
"The philosophy is working with people and having fun and not forcing on them any one style of play," Bollettieri said. Once the hot-lava shades are off he is a surprisingly wary man. "I get a big kick out of kids who get out there and develop some of their talent, become happy. The main emphasis is on developing yourself as a person. Be sure to get an education, hopefully a partial scholarship to college. Because very few of these kids are going to make it as a professional."

Bollettieri says the Academy is just like McDonald's and that includes the chain's pan-galactic ambition. Bollettieri sold out to IMG, Mark McCormack's International Management Group, a few years ago. Now, the company is into expansion. Fifteen new tennis centres around the world are planned for 1992.

There is something very surreal about the Academy. This is tennis coaching by George Orwell, though you will not hear Agassi or Seles complaining. Perhaps the argument for such places is the same as the one for the theatrical profession: do not let your child go anywhere near it, unless it is clear he or she would be actively unhappy not doing it. Then give all the support you can.

Bollettieri is putting about an intense 12-year-old German called Tommy Haas, and a tall 13-year-old Yugoslav called Jura Majoli. But one does not envy these children their burden of precocious talent. One does not envy children who carry the huge hopes of parents and, God help us, agents.

Especially, one does not envy them their talents in an area when hopes can dry up forever at the age of 16, and where do you go from there? It is not that the Nick Bollettieri Tennis Academy is cruel. It is sport. It is any area in which talent comes and goes so capriciously, and so young.



Now listen, do it this way, kid: Bollettieri drills home a point to an intent pupil, Jo Moore

## ATHLETICS

### Cosford is ready to bow out in fine style

By DAVID POWELL  
ATHLETICS CORRESPONDENT

RAF Cosford's aircraft hangar is to become a hall of fame for its last international promotion. On Sunday week in the IAAF Dairy Crest invitation meeting, Linford Christie will be up against the men who sit where Carl Lewis and Ben Johnson once sat.

Nobody can say that Christie ever walks away from a scrap. In one afternoon he will take on Lennox Burrell, the world's 100m metres champion, and Michael Johnson, top-ranked over 200 metres, to ensure that the Birmingham national indoor arena has a hard act to follow when it becomes the English home of indoor competition next winter.

Christie won the outdoor European title last summer but lost all four of his encounters with Burrell, now they are to meet over the indoor distance of 60 metres. Johnson has carried on where he left off last summer and, with 20.55sec, leads this season's 200 metres world indoor rankings with a time equal to Christie's best.

"I have never avoided anyone and the prospect of beating Burrell and Johnson is a real challenge," Christie said. "At 30 I am still sharp; I feel as though I am 26." He won both events at the Pearl Assurance AAA championships on Sunday and the Dairy Crest meeting will be an important staging-post on his way to the world indoor championships in Seville from March 8 to 10.

His selection for both distances was confirmed yesterday when 15 names were announced. Another half a dozen at the most are likely to be added as British selectors work from trying to make the point that it is among the top three nations in the world.

"Our best athletes have taken the winter to recharge and the start of the season is a reflection on the serious business that lies ahead," Frank Dick, Britain's director of coaching, said. "That means defending the European Cup and a successful world outdoor championship."

In naming Michael Rosewater for the 60 metres, the selectors clearly saw enough in his 6.63sec — the same time as Christie's — to consider him a contender for Seville. For Stephen Gookney, who had won the Oron Games and the Scottish championship, but who was third in the AAAs and whose best is 6.67sec.

Among the best races of the weekend was the men's 3,000 metres. Rob Denmark and Paul Larkins, first and second respectively, ran a world cup competition qualifying time and were duly selected. Larkins is a staff reporter on *Athletics Weekly* but his selection does not mean the magazine will have an air fare and hotel bill. It will have to assist him to the WORLD INDOOR CHAMPIONSHIP PARTY: Men 60m: L Christie (Thames Valley); 100m: M Rosewater (AAAs); 200m: L Christie (Thames Valley); 400m: R Denmark (AAAs); 600m: S Gookney (AAAs); 800m: S Gookney (AAAs); 1,000m: S Gookney (AAAs); 1,500m: S Gookney (AAAs); 2,000m: S Gookney (AAAs); 2,500m: S Gookney (AAAs); 3,000m: S Gookney (AAAs); 3,500m: S Gookney (AAAs); 4,000m: S Gookney (AAAs); 4,500m: S Gookney (AAAs); 5,000m: S Gookney (AAAs); 5,500m: S Gookney (AAAs); 6,000m: S Gookney (AAAs); 6,500m: S Gookney (AAAs); 7,000m: S Gookney (AAAs); 7,500m: S Gookney (AAAs); 8,000m: S Gookney (AAAs); 8,500m: S Gookney (AAAs); 9,000m: S Gookney (AAAs); 9,500m: S Gookney (AAAs); 10,000m: S Gookney (AAAs); 10,500m: S Gookney (AAAs); 11,000m: S Gookney (AAAs); 11,500m: S Gookney (AAAs); 12,000m: S Gookney (AAAs); 12,500m: S Gookney (AAAs); 13,000m: S Gookney (AAAs); 13,500m: S Gookney (AAAs); 14,000m: S Gookney (AAAs); 14,500m: S Gookney (AAAs); 15,000m: S Gookney (AAAs); 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## CRICKET

# England A batsmen bamboozled by Sri Lanka spinners

From RICHARD STREETON IN KURUNEGALA, NORTHWEST SRI LANKA

SPIN bowling of the highest calibre left England A floundering here yesterday as Sri Lanka A won the second one-day international by 40 runs to take a 2-0 lead in the five-match series. Amid a carnival atmosphere as the host country celebrated its 43rd Independence Day holiday, a 5,000 crowd watched jubilantly across the field at the finish.

England, set to make 174, lost their first eight wickets for 47 runs inside 13 overs and were dismissed for 133. Both the bounce and turn on an inconsistent pitch helped the Sri Lankan bowlers, but the England batsmen displayed mental and technical shortcomings against bowling of an unfamiliar type.

The outstanding bowler was Roshan Juregampathy, an off spinner, who took five for 20 in 6.2 overs after joining the attack as the sixth bowler. Juregampathy, who appeared in two Tests as a batsman in 1985 and 1986, was playing his first game for a month after fracturing his left arm in a club game. Five years ago he played alongside Bicknell, one of his victims yesterday, in a Guildford side which won the Surrey championship.

Juregampathy and Kalpage, another off spinner, together with Rajadurai, a leg spinner,

shared the wickets. None of them turned the ball extravagantly but subtle variations of flight and pace were enough.

For the connoisseur, frankly, it was all a delight to watch on a tropical test cricket ground which has few rivals scenically. England looked bemused and bewildered and it will be fascinating to see whether the pattern is any different in the unofficial Test matches.

Morris and Blakey laid a promising foundation against the two new-ball bowlers. The run rate slowed, though, when Anurasi, slow left-arm, and Kalpage bowled. Kalpage soon caused Blakey to play on and had Morris leg-before with a quicker ball.

When Rajadurai bowled a top-spinner to beat Ramprakash at 86 as he made room to cut in the thirtieth over, the slump was under way. Ramprakash kicked out angrily with his right leg, fortunately missing the stumps, and was hooted and jeered by the crowd as he left.

Thorpe desperately swung the same bowler high towards the mid-wicket boundary, where Karnain sprinted in 25 yards and took a spectacular diving catch one-handed.

Juregampathy required 68 from ten overs, with six wickets left, but the target became ac-

demic almost immediately. Bicknell gave Juregampathy, the man-of-the-match, a return catch and Fairbrother was bowled as he gave himself room to square drive.

Morris put Sri Lanka in on a pitch still damp from its preparation, but with only two seam bowlers England were unable to take full advantage of the conditions. Pick and Munton bowled with more control than at Galle on Saturday. Initially Sri Lanka were held in check and Munton took three wickets in two overs in his second spell. De Silva injured a foot and had a runner, but nevertheless led a late rally.

Lord's has told England A that Phil Newport will be released by the senior England party after the Perth Test match ends and it is hoped he will have returned to Sri Lanka by Thursday. He may therefore be available to play in the first unofficial Test match at Kandy on Friday.

**SRI LANKA A**  
10 S S P Kurunegala 31  
11 Roshan Juregampathy 41  
12 R Rajadurai 29  
13 R Kalpage 29  
14 R Juregampathy 29  
15 P De Silva 29  
16 S H U Karmann 29  
17 N Halden 29  
18 R Rajadurai 29  
19 S S P Kurunegala 29  
20 S S P Kurunegala 29  
Total (42.2 overs) 133  
FALL OF WICKETS: 1-47, 2-86, 3-89, 4-90, 5-92, 6-133, 7-133, 8-133, 9-133, 10-133.  
S D Anurasi and P Wickramasinghe did not bat.  
SCOTTISH: Pick 8-3-20-1; Munton 9-1-31-3; Slingworth 9-2-35-1; Salisbury 9-1-35-1; Ramprakash 9-0-40-0.

**ENGLAND UNDER-19**  
13 F Bicknell 31  
14 M R Ramprakash 31  
15 N H Fairbrother 29  
16 G P Thorpe 29  
17 D J Giddens 29  
18 J S Rhodes 29  
19 R K Bingham 29  
20 T A Munton 29  
Total (42.2 overs) 133  
FALL OF WICKETS: 1-58, 2-72, 3-86, 4-84, 5-107, 6-112, 7-115, 8-117, 9-127, 10-133.  
SCOTTISH: Pick 8-3-20-1; Munton 9-1-31-3; Slingworth 9-2-35-1; Salisbury 9-1-35-1; Ramprakash 9-0-40-0.

## Squad hit by injuries

ENGLAND Under-19 had only 13 fit players from which to choose for the first four-day match against New Zealand Under-19 at Napier which starts today.

Injuries among the team bowlers meant that Philip Newport, Mark Broadhurst and Greg Chapple look certain to lead the first-bowling attack, with the choice of the final places in the team resting with the three spinners, Mark Lowrey, James Hodgson and Chris Hawkes.

John Crawley, the captain, has been in outstanding form with the bat and Ben Smith and Aftab Habib are expected to make important contributions. Toby Radford, the opening batsman, came good at the right time after a run of low scores with a century in the England Under-19's drawn match against Auckland Under-20.

## Players must learn folly of intimidating Test umpires

Perth AMONG the many melancholy thoughts England's cricketers could have pondered on their rest day here is that they may have just suffered the consequences of a deliberate and unedifying intimidation of Australia's Test umpires.

The players remain utterly convinced that Australia should have been two wickets down, rather than one, on the fourth day of this final Test match. They say that Geoff Marsh's leg-side deflection off Gladstone Small on Sunday evening was with the glove, not the forearm as the umpire decided.

They made their feelings plain on the field with a prolonged show of histrionics and they were still grumbling about it yesterday. They should realise they brought it upon themselves, none more so than the man who claimed the catch, makeshift wicketkeeper, Alec Stewart.

By sacrificing Jack Russell's perfect glove-work to search for balance, before the Adelaide Test, England committed the crime of compromising on a rare quality. But the change has had another, equally disturbing effect with a huge increase in the number of appeals, ranging from the optimistic to the outrageous but with the common denominator of Stewart as the orchestrator.

Stewart is nothing if not an enthusiastic competitor. Whether batting, fielding under the helmet at short leg or keeping wicket, he always likes to be involved in some way, this is to be applauded; in others, it is to be heartily deplored.

He has never been averse to a few sharp words with the oppo-

## ALAN LEE

sition and any incident brewing on the field can be guaranteed to find Stewart in attendance. Saturday evening was an example. Greg Matthews hurled gratuitous insults at Phil Tufnell after he had taken his second wicket, it was ludicrous behaviour which the umpires were already quietly dealing with. It might have passed unnoticed by the crowd and, certainly, it did not need Stewart to come striding across like some third division footballer disputing an offside decision.

This, however, is his demeanour behind the stumps. Time after time, in this match, he has reacted with feigned indignation when a ball has beaten the bat. He has made the leg side his priority and has seldom taken the ball without, at the very least, throwing it skywards. More than once he has stood, hands on hips in overt disgust, when an umpire has properly rejected a try-on.

Stewart has not invented this tactic. He is not even very good at it, for to overdo the act as he does is inevitably counter-productive. Umpires are human and will make mistakes, but few of them are fools. They know when they are being repeatedly conned and if a touch of perversity creeps into their subconscious, and the batsman receives too much benefit of any doubt, they can hardly be blamed.

In the case of Australia, is a similar type, over-excitable and prone to appealing on the basis that volume and frequency, rather than conviction, might sway the verdict. He, too, has

been guilty of some infuriating excesses which must be judged as an attempt at intimidation.

What was significant, yesterday, was the contrasting reaction from the umpires when the issue was raised. From Micky Stewart, of England, came a tacit approval for his own and, others, to continue with such fraudulent tactics. From Bob Simpson, of Australia, came the admission that he was as guilty as any but a strong call for it to be curbed.

Simpson said: "It is happening far too much, not just in this series or just in Test cricket, but in county and Sheffield Shield footballer disputing an offside decision."

"It is something we could do without, and I also feel that the posturing of close fielders after an appeal has been rejected is getting to be a worry. The umpires have got to be stronger and tell the captains that, and that is the style of cricket out here."

One of Micky Stewart's great failings, in his time as England team manager, has been an inability to recognise when his players are abusing the spirit and standards of the game and to do something about it. This is a prime example. While not denying the charge of excessive appealing, he explained it away by saying: "We will always appreciate our umpires, and that is the style of cricket out here."

In other words, whatever the opposition can get away with is fair game. Surely, a shabby confession by a manager whose credibility has been reduced by his future in the job is certainly to be closely examined by his employees in the aftermath of this unhappy tour.

## SNOW REPORTS

| Depth (cm)   | Conditions          | Runs to resort | Weather | Last snow fall |
|--|---------------------|----------------|---------|----------------|
| AUSTRIA  |                     |                |         |                |
| Kitzbühel  | 5 55 fair moquls    | art cloud      | 0       | 13/1           |
| Piste conditions remain icy with some bare patches |                     |                |         |                |
| Oberperfing  | 60 100 good varied  | good cloud     | -4      | 4/2            |
| Good skiing on and off piste                       |                     |                |         |                |
| St Anton   | 30 140 fair varied  | fair fair      | -2      | 4/2            |
| Fresh snowfall improving all runs                  |                     |                |         |                |
| FRANCE   |                     |                |         |                |
| Alpe d'Huez  | 85 270 good varied  | fair cloud     | -6      | 13/1           |
| Pistes in good condition, lower slopes icy         |                     |                |         |                |
| Isola  | 80 110 good varied  | good cloud     | -2      | 15/1           |
| Good skiing on all pistes, icy patches             |                     |                |         |                |
| La Plagne  | 90 180 good varied  | good fine      | -5      | 13/1           |
| Good skiing, most pistes in good condition         |                     |                |         |                |
| Las Arves  | 75 215 good crust   | fair fine      | -4      | 14/1           |
| Most runs well covered, all pistes open            |                     |                |         |                |
| Val Thorens  | 90 220 fair varied  | fair fine      | -10     | 13/1           |
| Good skiing on upper and north facing slopes       |                     |                |         |                |
| ITALY  |                     |                |         |                |
| Cervinia   | 100 250 good crust  | fair fine      | -3      | 14/1           |
| Piste skiing fast if a bit wind blown above 2555m  |                     |                |         |                |
| Gallio   | 60 80 fair good     | fine fine      | -18     | 3/2            |
| Very cold weather, slopes in good condition        |                     |                |         |                |
| SWITZERLAND  |                     |                |         |                |
| Crans Montana                                      | 50 250 good varied  | worm fine      | -1      | 13/1           |
| Good skiing on all pistes                          |                     |                |         |                |
| Grindelwald  | 25 55 good varied   | good sun       | -7      | 13/1           |
| Excellent skiing, some icy patches                 |                     |                |         |                |
| Klosters   | 30 110 fair varied  | icy fair       | -3      | 13/1           |
| Good skiing on upper slopes, lower icy             |                     |                |         |                |
| Saas Fee   | 80 220 good varied  | fair fine      | -8      | 14/1           |
| Very good skiing in many areas                     |                     |                |         |                |
| Verbier  | 10 180 fair spring  | art fair       | 0       | 13/1           |
| Best skiing to be found above 2,500m               |                     |                |         |                |
| Zermatt  | 105 115 good varied | poor fine      | -1      | 14/1           |
| Good skiing higher up                              |                     |                |         |                |

In the above reports, supplied by representatives of the Ski Club of Great Britain, L refers to lower slopes and U to upper, and art to artificial.

## Johnson's former coach points finger at British athletes as he pleads his case



Unrepentant: Francis pictured in London yesterday where he was promoting a book

## Francis claims the hard line has not curbed drug abuse

BY DAVID POWELL, ATHLETICS CORRESPONDENT

CHEATING means different things to different people. If Liverpool win the League championship by one point, the runners-up may wish everybody to remember Bruce Grobbelaar's deliberate handball which ensured a draw with Manchester United on Sunday. Football should be thankful that cheating is usually visible and is dealt with by referees. Athletics is not so fortunate.

Had Charlie Francis been a referee, there would be no Gary Lineker. Everybody would cheat. Ben Johnson cheated because most of the rest were. At least that was what Francis told him. Francis coached Johnson to an Olympic gold medal at 100 metres in a world-record time, only for the athlete to be caught. Were they cheating? "I see it as what is required if you wish to be No. 1," Francis said in London yesterday.

Note Francis's use of the present tense. If anything, he said, the problem is worse because of the push for harsher penalties. Britain is a leading campaigner for genuine life bans unlike the one Johnson received but that, Francis said, only exacerbates the issue. "You have a situation now where you have the worst of all worlds," Francis said. "You have driven the athletes away from doctors and they are going down to the gym and doing their own thing."

Predictably, Francis declined repeated invitations to offer the evidence which the British Amateur Athletic Board (BAAB) had called for. "If he gives us evidence we will support it," Tony Ward, the BAAB spokesman, had said. In his book, *Speed Trap*, to be published in Britain on Thursday and which he is here to promote, Francis makes several references implicating British athletes.

He refers to "two British female sprinters who were on 35 milligrams of Dianabol a day" in 1979. He even implicates one male field events athlete by name. Where was his proof? "I

am not prepared to get into individual details," Francis said. "I am not interested in coming forward with the odd piece of information. If Britain wants to find out it is to grant an amnesty to the athletes and let them come forward to tell their story."

Francis is of the opinion that giving names would serve little purpose in helping to set the record straight. His book quotes an "insider" who estimates that an "insider" put an 80 per cent figure on the number of male competitors on steroids at the 1972 Olympics along with a number of "insiders" from some countries including Britain. "I personally think it is higher," Francis said yesterday.

Johnson parted company with his coach six months, Loren Seagrave, last week. He refused a popular rumour in Canada that he was coaching Johnson by telephone. "Such a position is not possible," he said. "He has to do whatever the federation wants him to do if he wishes to participate." And Athletics Canada, the governing body in Johnson's country, has forbidden anybody to have dealings with Francis.

Francis claims to have received requests from two of the world's top five sprinters last year for his coaching. He had declined, he said, because the athletes would suffer undue victimisation if associated with him.

It was clear that Francis had little sympathy for Johnson, in fact he said the doctor's association had benefited him. "I have had to ask myself whether the athletes were better off after knowing me than before. Did they better their level and my level was 'yes'. Considering the difficult financial circumstances they started in they ended better than they started. International sport is not a leisure-time activity."

"Ben drives to drug lectures with kids and shows up in his Ferrari Testarossa. I find that less than an enthusiastic condemnation of steroids."

## Getting on right track with the law

By DAVID MILLER

The \$65 million lawsuit being brought by Dutch Reynolds, according to the testimony of medical commission doctors, that competition testing was inadequate to catch the guilty; that in spite of knowing this, and that random testing was the only solution, the IOC and IAAF allowed the impression to be given that their competitors were fair.

It was therefore valuable for the International Athletic Foundation, a charitable arm of the International Amateur Athletic Federation (IAAF), to have held an international symposium to debate legal issues in Monte Carlo last week although the debate did not always make comfortable hearing for the IAAF.

Robert Armstrong QC, counsel to the Dutch Enquiry, was forthright in his criticism of both the International Olympic Committee (IOC) and the IAAF on two counts: for having dragged their feet in the years before Johnson's positive test in

Seoul, and for having failed to react to evidence that emerged during the Canadian enquiry.

It had long been apparent, according to the testimony of medical commission doctors, that competition testing was inadequate to catch the guilty; that in spite of knowing this, and that random testing was the only solution, the IOC and IAAF allowed the impression to be given that their competitors were fair.

Armstrong alleged that this had been a failure in leadership, as had been the lack of reaction to evidence at the enquiry. For example, Dr Robert Kerr, of San Gabriel, California, testified he had prescribed steroids to 20 US medal winners in 1984. A US senator's judicial committee hearing on steroid abuse had been told by Pat Connolly, a coach to the US women's track team, that almost a quarter of the team were on steroids in 1984, and even more in 1988. Connolly alleged that between five and 10 men's medal winners were on drugs in 1988.

The defence against such allegations by Prince Alexandre

de Merode and Professor Arne Ljungqvist, chairman of the respective medical commissions, would be that they could do nothing without names; and that the time for legal medical proof is long past. It is difficult enough legally upholding known positive tests.

Reynolds, having failed to institute legal proceedings in Ohio, his home state, is appealing to the arbitration council of FAC, the US federation; if that does not dismiss his two year suspension, he is expected to go to the courts in London, home of the IAAF headquarters. The IAAF has already briefed counsel.

IAAF officials are optimistic that the precedent established in the case of Sandra Gasser, the Swiss athlete, who sought dismissal of her ban for a positive test in 1987 will act in their favour. Courts in Bern and then London upheld the decision of the IAAF arbitration panel, which had been chaired by Robert Elliott QC, the former Australian attorney general.

The London High Court ruled that the IAAF medical com-

mission laboratory's procedure was satisfactory, that the decision was honest, and that "a sports body is best equipped to judge such matters for itself."

Peter Coni, QC, with his intimate knowledge of rowing, argued for the harmonisation of legal principles among all international governing bodies for their greater protection against court action. He suggested that the IOC was in the position to help the IAAF. Perhaps Juan Antonio Samaranch, the IOC president, should respond to the initiative of the IAAF by staging a legal conference to which all Olympic sports were invited.

There is every reason to suppose, Coni argued, that athletes could not overturn the drug testing system. Regulations were applied strictly. But he questioned whether a court would uphold the British imposition of a life ban under the rules of "natural justice". The most disturbing suggestions came from Gary Roberts, of Tulane University, a specialist in the anti-trust laws of America. He considered that regulations of the IAAF, and by implication of the IOC too, could have a bulldozer driven through them the more those two bodies become professional in outlook.

The IAAF was on thin ice, he said, once they crossed the line from being an amateur body to being professional; that they would then no longer be exempt from anti-trust ruling on commercial issues by the Amateur Sports Act of 1978. In other words, individual competitors would be the much more likely to pursue individual commercial activities even when they were not in the interest of the governing body. Somewhat alarmingly, but no doubt truthfully, Roberts proclaimed: "America is an amoral country."

Existing IAAF regulations, he suggested, were too often acting as a cartel for the protection of their own commercial interest and would not be defensible in American courts. Robert Simpson, the IAAF's honorary treasurer, admitted that serious consideration would have to be given to this matter by an international federation which now was amateur in title only.

## RUGBY LEAGUE

### Plans for another division

By KEITH MACKLIN

THE scheme for the establishment of three divisions in the Rugby Football League will move a step further tomorrow. The full council will meet in Leeds to debate further the proposals which embody a suggestion that there should be a second division of only eight clubs.

After tomorrow's meeting and debate, firm proposals will be placed for a vote at a special general meeting of clubs. Although there is a minority body of opinion opposed to a three divisions scheme, it is felt within the game that once the proposal is accepted, it could be implemented in time for next season.

One second division chairman firmly opposed to the idea is Mike Marsland, of Trafford Borough, who earlier this season convened a meeting of second division clubs to call for changes in the contracts system for players, which, Marsland claimed, was bankrupting second division sides.

Marsland said: "Gates will be so low in division three that clubs which are now hanging on will go to the wall." However, there is a counter-body of opinion which asserts that a successful third division side with hopes of promotion will attract bigger attendances. Castleford, of the first division, and Workington Town, of the second, have been named the Stones Rites Teams of the Month for their performances during January.

The Great Britain squad to play France in the return British Coal International at Headingley a week on Saturday will be announced on Thursday. Paul Newlove, the Featherstone Rovers centre, is likely to be out for six weeks after dislocating his elbow.

## RUGBY UNION

### Selectors look at Hall again

By DAVID HANDS, RUGBY CORRESPONDENT

THE England selectors, as expected, have deferred the announcement of the side to play Scotland at Twickenham on February 16 until after this weekend's league matches. This will allow them to take a further look at John Hall, the Bath flanker, who is expected to play against Gloucester, and at such experienced midfield candidates as Simon Halliday (Harlequins) and Fran Clough (Wasps) who have recently recovered from longer injuries.

Both Geoff Cooke, the England team manager, and Don Rutherford, the technical director of the Rugby Football Union, have expressed their admiration for Scotland's display against Wales last weekend. "The way their forwards moved collectively about the field must have given enormous satisfaction," Rutherford said yesterday. "They are as near to New Zealanders as they could be in many aspects of play."

The England A squad of 23, and the B team named to play Italy at Waterloo on February 13, will meet in Richmond at the weekend, though their training routine will depend upon the weather. If there is a hard frost they will work at an indoor venue, though they hope to use Twickenham, while the training immediately before the Scottish game, on February 14, will be in private.

Gary Pearce, the Northampton prop, will captain the B XV against what is expected to be a strong Italian side. It shows three changes to the team which beat Spain 40-6 at Gloucester last month, with Damian Hopley joining the backs at the expense of Phil de Glanville and Gary Holmes and Tim Rodber replacing, respectively, Victor Uboran and Ben Clarke in the pack.

This, as much as anything, will be to give those three players a game rather than being a commentary upon the display against the Spanish. Hopley was removed from contention for that match because he was required for the senior squad against Wales, while Rodber and Clarke are fated always to be opposing each other at No 8.

## ROWING

### Oxford break record in Belfast

By MIKE ROSEWELL, ROWING CORRESPONDENT

WHILE Cambridge stayed on traditional Tideway waters last weekend, Oxford travelled to the Lagan side of the River in Belfast, the invitation resulting from the "Belfast 1991" celebrations.

Racing in a borrowed boat, Oxford won, beating the course record by 23 seconds. The crew, stroked by the president, Rupert Obholzer, with a top British coarsman, Matthew Pinsent, rowing at six, generally rated 33 strokes per minute and the coach, Steve Royle, was

pleased with the performance. In the absence of Neill RC, one of Ireland's top clubs, Belfast RC were second, 54 seconds behind the winners and only two seconds ahead of the Oxford second crew. Although the Boat Race crew announcements are not due until February 25, a margin of 56 seconds between Oxford and Isis must indicate fairly advanced progress in dark blue selection.

The Cambridge and Oxford crews are being steered by Andy Bracey and Neil Chugani respectively.

## TABLE TENNIS

### Xinhua can play for England

By RICHARD EATON

CHEN Xinhua appears to have won his struggle for full recognition as an amateur body to being professional; that they would then no longer be exempt from anti-trust ruling on commercial issues by the Amateur Sports Act of 1978. In other words, individual competitors would be the much more likely to pursue individual commercial activities even when they were not in the interest of the governing body. Somewhat alarmingly, but no doubt truthfully, Roberts proclaimed: "America is an amoral country."

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England missed the promotion to the super division they would probably have achieved with the former World Cup winner in their team. It took the International Table Tennis Federation (ITTF), which overturned the European Union's ruling, three months to ensure that it was legally empowered to do so. This in part answers the second question of why it has taken six months before the outcome of his appeal has become known.

After more than a year of hassle, beginning with a hard struggle to gain selection for England before the international two-year eligibility rule was altered to six years, the Rothmans domiciled player seems to have the go-ahead to compete anywhere.

"Through all my problems I have always wanted to play for England and I am very pleased this gives me the chance to do so more often," he said. Aged 31, he could have at least four years playing to a world top 20 standard. But his enduring problems are financial. He has yet to find a package of sponsorship, clubs and exhibitions that will enable him to spend most of his time in England next season, Bundesliga. His success in the future depends on this.







